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STENOGRAPHIC REPORT

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The Great "Liberal" Trial

IN THE

COVENANTER SYNOD OF 1891.

WITH AN INTRODUCTION.

Synod of the Reformed Presbyterian church of North

ALLEGHENY, PA.

COVENANTER PUBLISHING COMPANY,

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PREFACE.

The type-written copy of this Report of the Trial in the Covenanter Synod of 1891, with the affidavit of the stenographer as to the accuracy of his work, was secured by Mr. James R. McKee, of Pittsburgh, at heavy expense, as an historical document that would become each year of greater value. was felt by many that the Report should be published, and arrangements were entered upon for this purpose; but no sufficient number of subscribers for the volume was obtained, after many months' effort, to warrant the necessary additional outlay. At length, however, as the time passed, and another meeting of Synod was drawing near, it was determined by a single individual that he would assume the responsibility of the publication of the Report, because of its important bearing on the welfare of the Covenanter church. The publication of this volume has been no small burden added to already heavily accumulated responsibilities, but the work has been done as carefully as possible in the circumstances, and it is now sent forth in full confidence that the Lord will use it to his own honor and the best interests of his church and kingdom.



INTRODUCTION.

The Trial, of which this volume gives a full short-hand report, has an antecedent history. No such disturbance has ever yet broken out in any church without having had causes at work through many preceding years. The aim of this Introduction is to trace the causes that have led to this Trial in the Covenanter Synod. A careful examination and statement of this kind is all the more necessary because of the wide currency given by the newspapers to misleading views of the trouble. It could not be expected that men unfamiliar with the history of the church, as newspaper reporters so generally are, would understand the matter thoroughly enough to be able to furnish a correct and comprehensive view of the questions at issue. Nor could it be expected that, with the view which they did take of the trouble, their reports would be free from partiality. It is believed that the account here given will correspond in some good degree, at least, with the calm and impartial judgment of history.

THREE GREAT QUESTIONS.

Three questions, which have always possessed absorbing interest among Covenanters, have been most intimately connected with this trouble. These are the organic unity of the church, missionary and evangelistic work, and preeminently the Kingship of Christ over the nations, or his political Messiahship, including the consequent position of dissent from the constitution of the United States. The covenant of 1871 gives expression to the deep interest of the entire Covenanter church on these three points. After that act of covenant renovation, the interest in these questing the consequence of the entire that act of covenant renovation, the interest in these questions.

tions became still deeper and more absorbing. The covenant of 1871, in harmony with the preceding history of the church, places side by side with its strong expressions as to missionary and evangelistic effort, and the duty of laboring and praying for the organic unity of the whole church of Christ, the further duty of the uncompromising maintenance of practical dissent from the immoral compact of the constitution of the United States in loyalty to Christ as the King of kings and Lord of lords. It is not surprising that in some instances, on the one hand, this latter duty has been regarded as the one and only mission of the Covenanter church, and that evangelistic and missionary work has been viewed as more properly the work of other churches. Nor, in the tendency of the human mind to swing too far either to one side or the other, is it to be wondered at that the duty of evangelistic effort and the principle of the organic unity of the church have been so pressed out of their relations to other parts of the church's covenant engagements as greatly to weaken the sense of these in the minds of some of her members. It will go down into history, however, that the Covenanter church, by her official action, and with great unanimity, has maintained with wisdom and steadfastness the safe middle ground between these extremes. Proof might be multiplied without limit of the wise and faithful maintenance of this position by the church. Nothing could be clearer than the covenant sworn and subscribed at the Pittsburgh Synod of 1871. The third, fourth, and fifth sections of this covenant read as follows:

3. Persuaded that God is the source of all legitionate power; that he has instituted civil government for His own glory and the good of man; that he has appointed His Son, the Mediator, to headship over the nations; and that the Bible is the supreme law and rule in national as in all other things, we will main-

tain the responsibility of nations to God, the rightful dominion of Jesus Christ over the commonwealth, and the obligation of nations to legislate in conformity with the written Word. We take ourselves sacredly bound to regulate all our civil relations, attachments, professions and deportment, by our allegiance and loyalty to the Lord, our King, Lawgiver and Judge; and by this, our oath, we are pledged to promote the interests of public order and justice, to support cheerfully whatever is for the good of the commonwealth in which we dwell, and to pursue this object in all things not forbidden by the law of God, or inconsistent with public dissent from an unscriptural and immoral civil power.

We will pray and labor for the peace and welfare of our country, and for its reformation by a constitutional recognition of God as the source of all power, of Jesus Christ as the Ruler of Nations, of the Holy Scriptures as the supreme rule, and of the true Christian religion; and we will continue to refuse to incorporate, by any act, with the political body, until this blessed reformation has been secured.

- 4. That, believing the church to be one, and that all the saints have communion with God and with one another in the same covenant; believing, moreover, that schism and sectarianism are sinful in themselves, and inimical to true religion, and trusting that divisions shall cease, and the people of God become one catholic church over all the earth, we will pray and labor for the visible oneness of the church of God in our own land and throughout the world, on the basis of truth and of Scriptural order. Considering it a principal duty of our profession to cultivate a holy brotherhood, we will strive to maintain Christian friendship with pious men of every name, and to feel and act as one with all in every land who pursue this grand end. And, as a means of securing this great result, we will, by dissemination and application of the principles of truth herein professed, and by cultivating and exercising Christian charity, labor to remove stumbling blocks, and to gather into one the scattered and divided friends of truth and righteousness.
- 5. Rejoicing that the enthroned Mediator is not only King in Zion, but King over all the earth, and recognizing the obli-

gation of His command to go into all the world and preach the gospel to every creature, and to teach all nations, baptizing them in the name of the Father, of the Son, and of the Holy Ghost, and resting with faith in the promise of His perpetual presence as the pledge of success, we hereby dedicate ourselves to the great work of making known God's light and salvation among the nations, and to this end will labor that the church may be provided with an earnest, self-denying and able ministry. Profoundly conscious of past remissness and neglect, we will henceforth, by our prayers, pecuniary contributions and personal exertions, seek the revival of pure and undefiled religion, the conversion of Jews and Gentiles to Christ, that all men may be blessed in Him, and that all nations may call Him blessed.

THE MISSIONARY WORK OF NATIONAL REFORM.

We should not fail to note the twofold aspect of missionary work, as set forth in the closing words of the fifth section, which quotes the inspired and inspiring words of that grandest of missionary odes, the seventy-second Psalm. This twofold mission work includes the evangelization of nations, as well as of individuals. And it is safe to say that no other church in the United States has labored with such generous contributions and such untiring zeal for the bringing of the nation, as such, to Christ.

In 1867 was begun the publication of the Christian Statesman in the support of which Covenanters all over the country gave most freely of their means. And for nearly twenty-five years this public witness for the Kingship of the Mediator has been scattered over the United States by the contributions of the Covenanter church. The money furnished by this little church, with an average membership during that period of much less than 10,000 communicants, for the support of this single arm of national evangelistic or missionary work, would sum up scores of thousand of dollars; and the years of labor given by members of this little body, in

this work unpaid except by the consciousness of promoting the King's honor, would amount, at ordinary rates of compensation, to scores of thousand of dollars more.

The same year of the renewing of her covenants, the church appointed an agent to give his whole time to the work of National Reform. She had contributed freely of her means to that work before; but from 1871 on, she has paid the principal part of the support of from one to five laborers in that arduous and noble cause. Counting the cost of tracts, volumes of proceedings and addresses, the holding of great national and smaller local conventions, and leaving out all moneys derived from other sources, the Covenanter church has given an average of over \$6,000 a year for twenty-five years in this special work of National Reform. In one year her contributions to this cause, in cash actually paid out, exclusive of all that came from other sources, were over \$10,000. And who can estimate the money value of the work done by her ministers and her members, men and women, young and old, who have given themselves with the zeal and enthusiasm of crusaders to this cause during all these years, counting it the greatest honor of their life to labor, often amid the scorn and reproaches of the world, for the crown and sceptre of the King of kings?

Leaving out of the estimate all except the money actually expended, the total amount given by the Covenanters, in all the departments of the work, in this sustained effort of a quarter of a century to bring our beloved country into acknowledged subjection to Christ and into the enjoyment of the blessedness of the nation whose God is the Lord, may be safely placed at \$250,000—an average of \$10,000 a year, or considerably over one dollar each year for each communicant.

While some within the church have more or less openly opposed this work, and others have become so enthusiastic in it as to desire to have the strength of the church almost entirely given to it, the church herself has held steadfastly on her way in maintaining side by side with this mission to the nation, vigorous evangelistic and missionary work, in the ordinary sense, both at home and abroad. Mission work in Syria and Asia Minor, and abounding labors among the Freedmen in the South, the Chinese on the Pacific coast and in our great cities, of late years also among the Indians, and evangelistic efforts in mission Sabbath School work, have marked this period of Covenanter history in America.

MISSION WORK AND POLITICAL DISSENT.

In all these evangelistic and missionary labors the Covenanter church has maintained her distinctive principle of Christ's Kingship and the consequent duty of political dissent. As a church she has seen no reason, in the most earnest efforts she could make to carry into effect the obligations of the fifth section of her covenant, to turn her back in any measure upon the obligations of the third section. The most devoted laborers in the cause of National Reform have been for that very reason all the more unwavering in the maintenance of political dissent from the immoral compact of the constitution which they were striving so earnestly to bring into harmony with the law of Christ. Foreign missionaries, home missionaries, and pastors, have been earnest in seeking to win souls to Christ from among all classes of men, and to bring the Fellahin, the Freedmen, Chinamen, and all other ranks and conditions both abroad and in our towns and cities, into the membership of the visible church of Christ. A measure of intelligence has been required, but those needing further instructions have

not been excluded. The strictest maintenance, in teaching and by discipline, of the great principles of the church has been no barrier to the winning of sinners out of the darkness and disobedience of the kingdom of Satan.

ATTEMPTS TO TURN EVANGELISTIC WORK AGAINST DISSENT.

For a number of years preceding the Trial, however, the extension and pressing of evangelistic work were made the plea for the disregard of the covenant obligation of political dissent. The argument was sometimes the sweeping one that the church had no right to require any condition of membership whatever, except a profession of faith in Christ.

It was contended that whenever the Covenanter or any other gospel worker wins a convert, so that he will say, "I believe in Jesus Christ as my Saviour," the church must receive him into her communion. And then when it was manifest that the logic of this sweeping argument would break down all discipline, and leave the courts of the church powerless in numberless cases of violation of her law and order by any who still professed to be true believers in Christ, it was maintained that practical dissent from the United States constitution had never been the constitutional law of the Reformed Presbyterian church, and that it was only an explanation by which her members could not be lawfully bound.

Thus the sound and well-balanced position of our covenant on evangelistic and missionary work was abandoned for another which set the different sections of that covenant in most direct and fatal antagonism to each other. The interpretation of the church's law which would forbid the requirement of political dissent on the part of any brought in by evangelistic effort must be the interpretation also, it was soon acknowledged, for all other members. When this logic

began to be felt, there was at first a disposition to make church officers an exception. Members generally, it was argued, should not be held to the duty of separation from the immoral compact, while that separation might be fittingly required of deacons and elders and ministers. But the broad ground was soon squarely taken, viz., that while the exercise of the elective franchise under our immoral constitution of government is a sin, and political dissent therefore a Christian's duty, nevertheless this avoidance of sin and performance of duty must be left to the conscience of the individual members of the church. With such an assault from within upon the historic and covenant position and practice of the church, the Trial reported in this volume was inevitable.

THE ORGANIC UNITY OF THE CHURCH.

The Covenanter church has also held most strenuously to the organic unity of the one body of which Christ is the Head, and this in perfect harmony with her testimony to Christ's Kingship over the nation, and the duty of political dissent. The fourth section of her covenant is just as fully in accord with the third section as with the fifth. Indeed, the one principle which binds all these sections of the covenant in closest unity is the Kingship of Christ. Nations and the church are moral agents under the supreme law of their King. A clear conception of the church of Christ, as a moral person, or an organism in its true covenant relation with its Head, will help to solve the difficulties often felt in connection with this subject.

The standards of the Reformed Presbyterian Church affirm most emphatically that the whole church of Christ is one, and that this one body should acknowledge its relation to its King and Head by engaging in solemn covenant to

do all that he has commanded. This covenant relation, in which the moral person lays hold upon covenant promises, and takes itself most sacredly bound, unitedly and mutually, by covenant obligations to attend faithfully to every duty pertaining to its own relations to its Head, as determined by His supreme law, is the necessary condition of true organic church unity. Any attempt to effect the union of the fragments of the visible church apart from such recognition of covenant relations and obligations must prove futile. It cannot be unity in the truth, by the truth, and for the truth, and hence not unity in the Lord and for his honor, if it be attempted without such fundamental acknowledgment of covenant relations and obligations.

Such covenanting does not require perfect unanimity on all grave and important questions. But it gives an avowed authoritative and supreme standard to which appeal may be made on all matters of difference. There is no agreement to ignore or bury truth. On the other hand, there is most solemn covenant engagement faithfully and fearlessly to maintain and apply all known truth. Thus the Covenanter church, in her attempt at covering all known duty in every sphere of moral action, as she has sincerely done in her covenant, though of course not infallibly or perfectly, takes the only basis on which the organic unity of the church can ever be realized. In her present separate ecclesiastical organization, she covenants to keep aloof from all sin, and in all relations to be true to Christ as King. The position of political dissent maintained by her members is simply the practical application of her comprehensive covenant engagement. She cannot renounce this application of Christ's law as a condition of effecting a union with some other part or parts of the visible chnrch. In any and every attempt at healing the breach of the daughter of Zion it

must be maintained that the very position which the Covenanter church holds to-day is the position to which the one visible body, with her organic unity manifested to the world, should be pledged by her covenant. And there must be nothing by compromise of the truth, or by agreeing to keep silence for the sake of peace, that will prove a barrier to the fullest possible attainments of the one organically united and covenanted body.

THE "LIBERAL" PLAN OF CHURCH UNION.

The "liberal" tendency in the Covenanter church has shown its true character in no way more clearly than in its wide departure from the church's well defined position on this question of the organic unity of the body of Christ. The conditions and requirements of evangelistic work being such, according to this "liberal" view, that no difference in admitting converts would be found between Covenanters and other bodies of Christian's, why should these bodies, it would naturally be asked, remain apart? When it is claimed that, on evidence of the conversion of any persons to Christ, Covenanter church courts are under obligation to admit such converts to church privileges without regard to the rules that have distinguished Covenanters from other Christian churches, why should there continue to be any separation between these branches of the church?

This assault begins upon the distinctive principles of the Covenanter church. But where does it end? It says, first, as the ministers whose trial is reported in this volume and their supporters repeatedly said: "You have no right to require the practice of political dissent, either of old or newly admitted members. That must not be made a term of communion." This distinctive point of difference being done away with, the Covenanter church would thus become

one with the United Presbyterian church, and any other bodies that hold essentially the same principles. The first step being taken, and organic union being effected, the next step must logically be to insist that this united body shall abandon its practical adherence by discipline to the testimony and standards which require the use of inspired psalmody and separation from secret orders. So this body becomes one with the churches that differ from it mainly by not requiring the exclusive use of the Scripture Psalms, and by not forbidding membership in secret societies. And thus this so-called "unifying" process would go on, with a sacrifice of principle at every step, until just enough would remain of Scriptural truth to warrant the great united body to hold to the name of the church of Christ, instead of being a synagogue of Satan. This "liberal" plea for organic unity would manifest at least some measure of consistency and sincerity if it would follow out its logic to such a conclusion

ATTEMPTS AT UNION WITH THE UNITED PRESBYTERIAN CHURCH.

This "unifying" operation sought to take on somewhat definite shape in the year 1887, when the Covenanter Synod appointed a committee to confer with a similar committee already appointed by the General Assembly of the United Presbyterian church, in regard to the uniting of these two ecclesiastical bodies. The United Presbyterian General Assembly had no thought of acceding to the position of the Covenanter church. But members of the Assembly had knowledge of the tendencies in the Covenanter body to which attention has already been called, and hence they appointed their own committee and requested the appointment of a similar committee by the Covenanter Synod, in the hope that the latter body was ready to accede to the position of the former by no

longer requiring the maintenance of political dissent. The report of the committee of the Covenanter church to the Synod of 1888 gives the history of this effort in detail, and we can do nothing better than transfer the official documents to these pages:

REPORT OF SYNOD'S COMMITTEE ON UNION.

Your committee appointed at the request of the General Assembly of the United Presbyterian church, to meet with a similar committee appointed by them, "to confer in regard to the subject of union of these two churches," respectfully report:

By correspondence a meeting of the joint committees of the two churchs was arranged. We convened in the Fourth U. P. church, Allegheny, Thursday, December 29th, 1887, at 10 o'clock, A. M. There were present at the meeting Rev. James Harper, D. D., Rev Alex. Young, D. D., Rev. J. W. Witherspoon, D. D., Rev D. W. Carson, D. D., and Rev. W. J. Reid, D, D., of the United Presbyterian committee, and Rev. D. McAllister, D. D., and Revs. J. W. Sproull, J. C. McFeeters, J. R. Wylie, and R. J. George, of the Reformed Presbyterian committee. Rev. F. M. Foster was not present at the conference and does not fully accord with the first item in the deliverance of the conference.

Two sessions of the conference were held, at the first of which Dr. Harper presided, and Dr. McAllister at the second; Rev. R. J. George was secretary at both.

As to the object of the conference, it was agreed that it was not for the discussion of distinctive principles; but for a comparison of views, to determine how far we are in harmony. It very soon became evident that our sister church had been led to seek the conference under an impression that we were prepared to modify our practice so far as to make our position of political dissent and separation from the government of the United States a matter of personal judgment and conscience, and not a subject of church discipline. They stated that this impression had been conveyed to them by articles in some of our magazines, and personal interviews with some of our ministers. Your committee felt warranted to state most emphat-

ically that no such sentiments had ever been uttered on the floor of our Synod; that no thought of that kind had been in the mind of Synod in appointing the committee, and that our Synod had no knowledge whatsoever that such an impression in their mind had led them to seek the conference. This point being settled we entered upon a comparison of views.

It was agreed that both the churches are sincere in their adherence to the Westminster standards, the confession of faith, and the catechisms. The question as to the bearing of the standards on any practices of either church was not discussed. The conference then passed to a consideration of the doctrines and practices of the two churches on the subject of civil government, and their attitude toward the government of these United States. On this subject the differences seemed to be irreconcilable, and for the purpose of formulating a clear statement of the position of each church, a committee. consisting of Dr. McAllister and Dr. Carson, was appointed to prepare a paper as a basis of action. This paper was carefully drawn up and submitted at the afternoon session. On the consideration of this paper there was a very free interchange of views as to our distinctive principles. This report was adopted unanimously, and is herewith transmitted to Synod as embodying the results of the conference.

The proceedings throughout were characterized by a spirit of kindness and courtesy among brethren, and at the same time the utmost frankness was used in stating and, when necessary, defending distinctive views.

The last resolution was added after the adoption of the paper prepared by the committee, and gives the impression of the members of the conference as to the ends gained by the meeting.

In closing the report we would say that it is the judgment of your committee that Synod should take action on the subject of church union, declaring her willingness to co-operate with all sister denominations in an effort to restore the lost unity of the body of Christ; that this end is not to be sought by giving up or holding in abeyance any part of that truth which is conscientiously believed, but by a reverent search after the whole truth as it is in Jesus, in the spirit of love; and that it is the duty of our church to hold fast her profession without

wavering, that when the opportunity arises for the conference of all the churches she may fulfil her mission in the advocacy and defence of those important principles which she alone holds in their practical application.

STATEMENT ADOPTED BY THE JOINT COMMITTEE.

The committees appointed by the General Assembly of the United Presbyterian church and the Synod of the Reformed Presbyterian church, after a full and frank conference, have agreed upon the following statement:

I. That the churches which they represent, as they most firmly believe, harmonize in the maintenance of the doctrine embodied in the testimony of each church that our Lord Jesus Christ, as Mediator, is vested with authority over all creatures, and that his revealed will is supreme and ultimate law for nations, as well as for the church and individuals; and that it is the duty of nations to acknowledge their relation of subjection to the Prince of the kings of the earth and his authoritative law.

II. The committees recognize the fact that the churches which they respectively represent are not in harmony in the application of the above doctrine of Christ's dominion over the state. The United Presbyterian church, on the one hand, leaves it with the individual conscience to decide whether the nation does or does not so far comply with the requirements of the Word of God as to permit the follower of Christ consistently to take part in the administration of the government. under the compact of the written constitution of the United States. On the other hand, the Reformed Presbyterian church regards this written constitution as an agreement from which all appeal to the authority of Christ and his law in national affairs has been excluded; and as an agreement to administer the government without an appeal to the law of Christ as being over the constitution and the nation itself, and on this ground requires her members not to become parties by any act to what she believes to be an immoral compact. Holding, as these churches do, to these diverging views in the practical application of accepted truth, it is the judgment of the committees that the way to organic union is not yet open.

III. Holding to the same great principles of truth, and differ-

ing only in their application, the joint committees express the hope that the closer brotherly co-operation in the Master's work at large, and the more earnest and united labors of the two churches for the ascendency of the principles of Christian government, will at length remove what at present seems to be the great barrier in the way of organic union.

IV. That while we have not been able to formulate a basis of agreement, to be submitted to our respective churches, we are assured that this fraternal conference has been mutually helpful, and that it will tend towards ultimate union, by discovering to us more clearly how fully we are in accord in great fundamental principles, and the precise point at which we diverge in the application of these principles.

THE COVENANTER SYNOD'S POSITION ONCE MORE AFFIRMED.

The articles referred to in the preceding Report were articles in Our Banner, one of the church magazines, which advocated the making of the historic position of political dissent a matter to be decided by the individual conscience. Following the joint conference of the union committees in December, 1887, the Banner more boldly pressed its new views as to political dissent. Accordingly, when the Synod of 1888 was considering the whole subject of union, the following resolution was offered and would have been carried by an overwhelming majority, had not the editor of the Banner disavowed the interpretation put upon his articles in the resolution:

WHEREAS, One of the church pamphlets in its discussion on church union advocates union by our making the matter of voting under the constitution a matter of forbearance; therefore,

Resolved, That this Synod condemns the teaching and publication to the people of these views as inconsistent with our Testimony and Covenant.

As a further expression of Synod's convictions on this subject of church union the following resolutions were adopted at this meeting in 18.8:

Resolved, 1. That this Synod approves the course of its Committee, commends their wisdom and faithfulness, and affirms the conclusions which they reached.

Resolved, 2. That we solemnly reaffirm our conviction that the constitution of the United States is a virtual agreement or compact to administer the government without reference to Christ or the Christian religion, and that incorporation with the government on the basis of this constitution is, therefore, an act of disloyalty to Christ. With this conviction in our hearts, we cannot do otherwise than maintain to the end the discipline we have maintained in the past; and we believe that the highest interests of our country, and of the kingdom of Christ, are involved in our fidelity at this point.

Resolved, 3. That this Synod emphatically repudiates any interpretation of any previous deliverances or decisions as looking toward, or intended to lead, to the abandonment of our historic position; and Sessions and Presbyteries are hereby distinctly enjoined and directed to maintain, consistently and faithfully, the discipline of the church, requiring of her members a practical dissent from the government of the United States, as at present constituted, and furthermore, that Presbyteries be directed to make diligent inquiry as to whether or not any known violations of the law and order of the church with reference to this matter are tolerated in any congregations in their respective bounds, and if so, to see that the law is enforced, and to report to this Synod.

Resolved, 4. Believing in the language of our covenant that "schism and sectarianism are sinful in themselves," we earnestly pray for the restoration of the lost unity of the visible body of Christ, and we hold ourselves ready, at any time, to enter into a council of believers, submitting all our differences to the decision of the Word and Spirit of God; but partial unions on the basis of compromise, for the purpose simply of forming a larger sect, involve for us the abandonment of our testimony, and unfaithfulness in the special work which our Lord, as we believe, has called us to do.

ATTEMPTS AT UNION WITH THE NEW SCHOOL REFORMED PRESBYTERIAN CHURCH.

But the most extraordinary feature of this movement in

the Covenanter church, while avowed to be in the interests of the organic unity of the visible body of Christ, has been the persistent effort to effect a union between the old Covenanter church and that portion of it which broke off in 1833, and which from that day till now, nearly sixty years, has maintained a separate ecclesiastical existence without a single justifying ground of separation from at least one other body of Christian people.

Immediately following the ineffectual attempt just recorded to bring the United Presbyterian and Covenanter churches into organic unity, was a similar effort originating in the General Synod of the Reformed Presbyterian church. A committee was appointed by the Covenanter Synod to meet with a similar committee appointed by the New School Reformed Presbyterian Synod. The committees met in November, 1888, and after full conference agreed upon the following statement of the points of agreement and the one radical point of difference between them:

Resolved, That both the churches represented agree entirely in all the doctrines of grace and salvation, in all the practices of worship, and in all the principles of their respective professions; and that they differ only in one point, viz: the practical application of the principle of Christ's rulership over the nations—the General Synod allowing her members to incorporate by voting with the present existing government, and the Synod refusing her members this privilege while the nation refuses to own Christ.

As a testimony to the willingness of the Covenanter church to take any step possible in the direction of true organic unity, rather than with the hope of accomplishing anything by further conference, a committee was appointed to meet once more with a similar committee of the General Synod. The report of this conference, submitted to both Synods in 1890, is as follows:

REPORT OF THE UNION CONFERENCE.

The committees on union of the Synod and General Synod of the Reformed Presbyterian churches met in the Eighth street Reformed Presbyterian church, Pittsburgh, January 31, 1890, at 3 P. M.

Prof. W. P. Johnston, chairman of Synod's committee, called the meeting to order. Dr. J. F. Morton, of Cedarville, Ohio, opened the meeting with prayer. Rev. J. W. Sproull, D. D., was chosen chairman, and Rev. John Alford, secretary.

The committee from the Synod were: Ministers: W. P. Johnston. W. J. Coleman, H. H. George, D. D., J. W. Sproull, D. D., David McAllister, D. D., and A. Kilpatrick. Ruling elders: A. B. Copeland, W. S. McAnlis and J. C. Calderwood, the last being absent. The committee from General Synod were: Ministers: J. F. Morton, D. D., John Graham, S. M. Ramsey, J. H. Kendall, and John Alford. Ruling elders: James W. Houston, Robert Abbott, James Patterson, Ephraim Young and Thomas Gibson. Absent: Ephraim Young and Thomas Gibson. A short season was spent in devotional exercises under the direction of the chairman. The object of the meeting was stated by Prof. Johnston and Rev. John Graham.

The following ministers of the United Presbyterian church were present and invited to seats as consultative members: Drs. D. W. Collins, J. N. Dick and R. J. Miller, Revs. J. S. Speer, D. M. Thorn, D. S. Littell and J. A. Kennedy, and Joseph McNaugher, ruling elder.

After some suggestions as to the manner of conducting the conference, the following paper from the committee of General Synod was read by Dr. Morton:

Deeply conscious of the importance of the re-union of the two branches of the Reformed Presbyterian church, and regarding it as our bounden duty as the followers of Christ to remove, as far as possible, every barrier that stands in the way of its consummation, we respectfully submit the following propositions as a basis for the action of the joint committee:

General Synod accepts in full the Declaratory Testimony which is to-day acknowledged by the Synod as their constitu-

tional law, to which applicants for admission to the church are required to give their assent.

General Synod accepts in full the Terms of Communion as they were held in common before the division of 1833.

General Synod accepts the covenant of 1871 with the understanding that the phrase, "incorporate with the political body," means such incorporation as involves sinful compliance with its religious defects.

General Synod accepts the principle of dissent from an immoral constitution as a Christian duty, believes that the constitution of the United States is defective in failing to own God and Christ and his law, and will labor to secure the Christian amendment proposed by the National Reform Association.

General Synod accepts the position of the Testimony, pages 7, 8, that "the particular application of the principles of the Testimony should not be incorporated with the confession of the church's faith," and that "Terms of Communion should embrace nothing but what is divine truth."—Testimony, XXII: 4.

General Synod agrees that the names of the members of either court in 1833 and their successors shall be enrolled upon the records of the opposite court and they two become one.

The paper was read and taken up item by item. The first and second items were read and adopted. The third item was read and discussed at length. Pending the discussion the conference took a recess until 7.30 P. M., Dr. Collins concluding by prayer.

Same place, 7.30 P. M., conference re-assembled, was called to order by the chairman and opened with prayer by Rev. S. M. Ramsey. The minutes of the afternoon meeting were read and approved. The following paper from Synod's committee was read by Dr. McAllister:

The committee appointed by the Synod of the Reformed Presbyterian church agree to the basis of union submitted by the committee of the General Synod, provided the third item be amended to read as follows: The General Synod accepts the covenant of 1871 with the understanding that the phrase, "incorporate with the political body," means such incorporation as involves sinful compliance with the religious defects of

the written constitution, which incorporation would be the acceptance of said constitution, as it now stands, as a compact of government by the members of the Reformed Presbyterian church, either in holding an office in which an oath is required to the constitution as such a compact, or by voting for men to administer the government on the basis of this compact.

A lengthy and animated discussion followed. As a disposal of the whole matter Rev. J. Alford offered the following: "Although, as is evident, we cannot agree on the third item proposed by the committee of General Synod, so as to recommend its adoption, as part of a basis of union, still we are willing that it, and the balance of the paper of which it is a part, together with the proposal from Synod's committee read by Dr. McAllister, shall come before our respective Synods at their approaching meetings, for their consideration." This was unanimously adopted.

ACTION OF THE COVENANTER SYNOD.

When Synod met, the committee submitted a report approving of what had been done in conference, and pledging that there would be "no surrender of the testimony of the Reformed Presbyterian church, and no departure from a practice by which that testimony is made effective." This report called forth the most extraordinary discussion ever heard in the Covenanter Synod. Speech after speech was delivered in opposition to the church's covenant engagements to maintain the honor of King Jesus and the supremacy of his law by requiring dissent from the written constitution of our government. After listening with the utmost patience and forbearance for days together to ministers and elders making impassioned pleas against the principles of their own profession, the vote was taken upon the report, and it was adopted. The "liberal" opposition then embodied its views on the question of union in the following reasons of dissent:

"LIBERAL" DISSENT AND REASONS THEREFOR.

We, the undersigned, beg leave to record our dissent and protest against the adoption of the report of the Union Committee, which refuses to accept the basis of union proposed by our brethren of the General Synod, for the following reasons:

I. Because the divine constitution of the church, the claims of the unevangelized masses in all lands, and the unrelenting warfare waged by personal and corporate foes of God and man against morality and religion, now imperatively demand that all the friends of Christ shall join in the closest unity that is attainable without the sacrifice of any divine truth.

II. Because this basis accepts in their integrity our subordinate standards, which we have claimed were our Testimony in behalf "of all divine truth and against all contrary evils."

III. Because the solemn league and covenant, sections 1 and 6, binds us to maintain church unity on the basis of the Westminster standards, which the proposed basis fully accepts.

IV. Because our covenant of 1871, sections 2 and 4, owns our subordinate standards as the "scriptural system of faith, order and worship," and by oath binds us to pray and labor for church union on this platform, which the proposed basis fully accepts; it is not therefore a surrender of any of our principles.

. V. Because our acceptance of the proposed basis would open the way for a speedy union of the psalm-singing churches on a platform that includes all the principles of divine truth, and all the practices of scriptural order and worship; and this, by its influence and power, with the divine blessing, would soon secure the glorious church unity for which Christ and his people pray.

VI. We specially protest against the approval or adoption of the committee's addition to the basis of union, which pledges not to vote nor hold office under the United States constitution, as a farther condition of membership in our church.

1. Because, although our sessions, have long required such a condition of membership, yet it was never incorporated in our standards, must be overtured and adopted before it can be a lawful term of communion, and is contrary to the principles of our Testimony, pp. 7, 8, 116, and Ch. XXI. 3 and XXII. 4.

- 2. Because it makes our "explanation of the terms" a term of communion binding the conscience, which we have always disclaimed.
- 3. Because it is a mere opinion that only proficient students of the Bible and of political philosophy can understand, and thus excludes Christ's little ones from church privileges contrary to his express will. Matt. 15: 9 and 16: 18 and 19: 13-18; Rom. 14: 1-5; and Rev. 3: 7, 8.
- 4. Because it dishonors us and our covenanted fathers as having entirely omitted from our Testimony, that which is now claimed to have been all along our chief term of communion, whose omission, the committee in their statement say, "would leave the united church without any justifiable ground of a separate denominational existence."

To complete this remarkable record, we add the answers adopted by Synod to the reasons of dissent:

ANSWERS TO REASONS OF DISSENT.

- 1. That the decision of Synod does not in the judgment of your committee, conflict with any of the interests which in the first reason are said to demand imperatively the union of the two bodies on the basis proposed; on the other hand the union as proposed would have been injurious to every one of those great interests, and especially would have been a sacrifice and surrender of truth to the hindrance of the accomplishment of the organic unity of the whole church of Christ. It would have been the strengthening of schism and sectarianism in the hearts of the daughters of Zion.
- 2. Synod reached its decision in the clear conviction that the basis of union as interpreted by those who proposed it, and as exemplified in their history, most seriously impaired the integrity of our subordinate standards.
- 3 and 4. The old covenants, the Westminster standards, our declaratory testimony and the covenant of 1871, are to be taken as a whole, and as a progressive, authoritative interpretation of God's Word, suited from age to age to the circumstances of the church. These subordinate standards favor the organic unity of the whole church on the basis which Christ himself proposes. Synod declares itself ready to co-operate in the

consummation of the organic union of the entire Christian church on this basis. The decision against which the reasons of dissent are entered is understood by Synod to be in perfect harmony with the uncompromising opposition of our testimony and covenant to the sin of schism and sectarianism, and their earnest advocacy of the oneness of the church of Christ.

- 5. The union of all the psalm-singing churches on the basis proposed would be but the making of a larger denomination on the sectarian principle, even if it were successfully accomplished. The attempt at such a union, however, would no doubt practically make more division than it would heal. In either case it would hinder the consummation of the organic unity of the whole visible body of the Redeemer.
- 6. The amendment proposed by Synod's committee to the basis submitted by the General Synod simply reaffirmed the historical position of the Reformed Presbyterian church in its essential principles. The church has not been dead. She has modified statements, and adapted her action to the necessities of the times. Her deliverances and the conduct of her members may have been in some cases inconsistent, as is true of all other churches; but the testimony has been and is that of practical political dissent from an immoral constitution of civil government. This position Synod declares its earnest determination, by the grace of God, to maintain until the laws and authority of Christ are acknowledged in our nation's fundamental law.

In reference to the other three reasons, summing up a reply in one item, Synod declares its belief that the question of union with the General Synod has been brought before us fairly and squarely again and again, and that it would be difficult to conceive of a more full and explicit declaration than committees and members of that Synod have repeatedly given of their proposed basis of union; and still further, that the question as to union with the General Synod on the basis which they proposed has been settled to the general satisfaction of Synod. It may be added that whatever unrest is still felt in our church is mainly not from any longing for a union with the General Synod on its proposed basis, but for the fulfillment of the Saviour's intercessory prayer, and the realization of what by

our testimony and covenant we are pledged to pray and labor for, the organic unity of the entire church of Christ.

For all the foregoing reports, resolutions, etc., the reader who wishes to examine the official records is referred to the Minutes of Synod for 1888, 1889, and 1890, as published in the *Reformed Presbyterian and Covenanter* and in *Our Banner* for the respective years.

It would seem that this particular effort at church union by trying to heal the breach of 1833 could have had but little heart in it, inasmuch as those who were so eager to carry the whole Covenanter church to the position of the New School brethren, did not themselves go into that communion when they left the old body, but united with other portions of the visible church. But the earnest and persistent efforts made to carry away the old Covenanter church from her historic position of requiring the separation of her members from the immoral compact of the government, and to land her in the bosom of that body "that was, and is not and yet is" the Covenanter church,-Covenanter in name, but with nothing to distinguish it from other churches that never claimed the name,—are one of the most striking proofs in all ecclesiastical history of the possibility of the rankest sectarianism and schism airing itself in the garb of devotion to the unity of the church.

SUMMARY OF POINTS OF THIS REVIEW AS TO UNION.

It may be well to sum up the main points on the subject of uniou which this review has brought out, and which bear upon the Trial reported in this volume.

1. Both the United Presbyterian church and the New School Reformed Presbyterian church agree with the old Covenanter church on the doctrine of Christ's Kingship.

They accept the same principle, as a principle, and embody it in their testimony.

- 2. The Covenanter church differs from both these other bodies in requiring the separation of her members from the political society under the bond of the compact of the written constitution, which agrees to make the will of the people, without reference to the law of Christ, supreme in national affairs. In other words, the Covenanter church applies the principle of Christ's Kingship over the nations in such a practical way as to forbid any of her members to enter into any political relations which, in her judgment, dishonor the crown and sceptre of the King of kings and Lord of lords. Over and over again, in committees, and conferences, and in Synod, it was maintained that the church is called upon to make the duty of dissent and separation from a Christless political society obligatory upon her members. Just as the honor of Christ and the authority of his law are to be maintained in other matters by the discipline of church courts, so this matter of political dissent may not be left to the individual conscience.
- 3. All this is in harmony with the testimony and covenant on the great question of the organic unity of the church. The committees of Synod and Synod itself have repeatedly declared the readiness of the Covenanter church to enter a council of believers with a view to the restoration of the lost unity of the visible body of Christ; but all partial unions, forming only a larger sect, and all unions on the basis of compromise, or at the expense of truth which it is expressly or tacitly agreed to ignore or put aside, for the sake of so-called union, the Covenanter church most emphatically condemns.
- 4. It is remarkable that the strenuous efforts at union which have just been recorded were not to bring into one

the United Presbyterian church and New School Reformed Presbyterian church. Both of these churches, as was repeatedly maintained by their representatives, agree with the Covenanter church in all the great principles of her testimony, including the Kingship of Christ. The one great point of difference in both cases is the application by the Covenanter church of the truth that Christ is King of nations. Why, then, should not the United Presbyterian and the New School Reformed Presbyterian churches be one? Should not burning zeal for the organic unity of the church expend itself here? Should not determined opposition to sectarianism and schism make itself felt in a manifestly unjustifiable breach of the unity of the body of Christ such as this?

- 5. The zeal for the unity of the church, as the record shows, was zeal to have the Covenanter church abandon her historic and covenant position. The question of her uniting with one church or another church was evidently a matter of indifference.
- 6. Still further, this same zeal for the unity of the church was the cause of the disturbance of the peace and rupture of the unity of the Covenanter church. The history briefly traced from the year 1887 to 1890 shows a continued agitation, proved in the end to be far beyond what was known generally at the time, with a view to carry the old Covenanter body off its historic and Scriptural foundation, or else to rend it asunder in the effort.
- 7. Seldom have forbearance and long-suffering been called into more active exercise than in the Covenanter church during these continued assaults upon her distinctive principles by men who had sworn to maintain them. When seventeen ministers and elders penned their names to a paer charging that the sessions of the church had all along

been violating the Scriptures and the Testimony by requiring political dissent as a condition of membership, thus exalting a mere explanation of a term of communion into a term itself, the wonder is that Synod did not instantly suspend them from the exercise of their office. It seems in the light of subsequent events that Synod's forbearance was rather a neglect of duty, and that long-suffering toward officers who were assailing the life of the church was failure to defend with necessary vigor and promptness the life that was being assailed.

THE EAST END MEETING AND PLATFORM.

This brings our review down to the East End Meeting, the story of which is fully told in the report which follows. This Meeting, with its formulated Platform, was held within the bounds of the Pittsburgh Presbytery. The Presbytery was convinced that the tendencies and teachings which have just been traced in their operation for a number of years, had now come to a head, and that a divisive course had assumed most positive and active character. Something must therefore be done. What should it be?

The logic of the principles of the East End Platform, would, in the name of church union, not only destroy the Covenanter church, but other churches as well. Distinctive principles of other bodies would be demolished by this Platform quite as effectually as the principle of dissent. Thus the holding of such a meeting, and the formulation and dissemination of the principles of such a platform, would have been a divisive course in churches that do not require the separation of their members from the Christless compact of our written constitution of government. Hence the Pittsburgh Presbytery might have proceeded against the ministers within her bounds, who were responsible for the East End Meeting and Platform, on a number of counts and

specifications, in some of which she would have taken common ground with other ecclesiatical bodies. But to make the whole case as definite as possible, and to avoid a wide and possibly distracting range of discussion, the trial was confined to the one principle of political dissent, against which the whole "liberal" movement had specially directed its assault, and which more than anything else distinguishes the Covenanter church from other churches.

It is hardly necessary to say that the Pittsburgh Presbytery was exceedingly anxious to avoid a trial. It was but natural for this court to be eager to retain, if at all possible, the large number of her ministers who had taken part in the East End Meeting. If the integrity of the church could only be preserved, and if the course that had proved to be divisive could only be arrested, the manifest disposition of the Presbytery was to go to the very utmost limit of conciliation and prevent recourse to a trial. Such conciliatory settlement of the trouble, after repeated efforts, and with a kindly disposition to yield every possible point for the sake of peace, proved impracticable.

PITTSBURGH PRESBYTERY DEFENDS THE INTEGRITY AND LIFE OF THE CHURCH.

As matters progressed, it became clear to the Pittsburgh Presbytery that the men whose convictions had changed so that they were no longer in harmony with the Covenanter church, were determined to carry forward within the church the same lines of effort that had led up to the East End Meeting and Platform. As was frankly acknowledged in the course of the Trial reported in this volume, (see page 276,) the determination was to revolutionize the church. The right of church members to attempt the most radical changes, even in the constitutional law of the church, by proposing the desired changes in overture, was never denied. But the

course that had now come to a crisis was no such orderly procedure. It was a determined effort to effect fundamental changes, in opposition to Synod's authority, by meetings and discussions which in their very nature were disorderly and divisive. Having been led to this conviction, the Presbytery was constrained, though reluctantly and painfully, to institute proceedings. It could not do otherwise. The disorderly and divisive course was in its judgment in progress; the men who were responsible would not give to Presbytery any satisfactory assurance that such a course would cease, nor would they quietly withdraw from the church with which they were no longer in harmony. What, then, could Presbytery do but defend the integrity and life of the church from these continued and more and more open and determined attacks? Necessity was laid upon the court to go forward and arrest the injury being done to the church, which could not now be arrested in any other way than by the institution of proceedings against the disturbers of the church's peace. Nothing but deep convictions of right, and the sense of official accountability to the Head of the church for the welfare of the congregations under their care, could have induced the ministers and elders of the Pittsburgh Presbytery to go forward in this most painful duty. And the verdict of Synod, in sustaining so heartily, the action of Pittsburgh Presbytery, will itself be sustained, it is firmly believed, by the deliberate judgment of generations yet to come, and by the sentence of the great day of final accounts.

PRELIMINARIES IN SYNOD.

Synod met on Wednesday, May 27, in the Eighth Street church, Pittsburgh, just twenty years after the act of covenanting in the same place in 1 1. The Rev. R. C. Wylie was chosen moderator, Dr. R. J. George, clerk,

and Dr. C. D. Trumbull, assistant clerk. The full roll of Synod compromised one hundred ministers, and ninetyone elders. The decorations which had graced the congregation's Quarter-Centennial celebration of about two weeks before, were still left in place as appropriate to the meeting of Synod, with a possible special commemoration in view of the twentieth anniversary of the covenant renovation of 1871. These decorations were the inscription, in a curved line above, back of the pulpit, "For Christ's Crown and Covenant," with "The Sabbath," "National Reform," "Temperance," and "Missions," arranged beneath the arch, together with the date 1871 n the spectator's left, and the date 1891 on the right. Across the fort were the words, "Be thou faithful unto death," the continuation of which Scripture ran across the front of the gallery, "And I will give thee a crown of life." On the platform, at the moderator's right, was a beautiful silk blue banner, with the motto in gold, "For Christ's Crown and Covenant," and at the left was an easel with a fine crayon portrait of Dr. A. M. Milligan, the former pastor. All these surroundings, with their associations and memories, helped to impress the solemnity of covenant obligations upon the Synod as it went forward with the trial.

On Friday, May 29, the appeals and complaints of the ministers who had been tried and suspended from their office by the Pittsburgh Presbytery were presented and referred to the Committee of Discipline. From this date until Tuesday, June 2, various matters pertaining to the trial were before the court, including the motion to give the appellants and complainants opportunity to purge themselves of contempt of the authority of the Presbytery in continuing to exercise the functions of the ministry after being suspended from office. After their statements had been made, Synod resolved that, "having heard the

statements of the accused, we now proceed with the trial."

A large number of the appeals and complaints were then read, and Rev. A. W. McClurkin was heard in support of his complaint, which, waiving the strict order of the Book of Discipline limiting him to a hearing on his declinature, it was agreed he should have liberty to urge in his address before the court. As no stenographer had yet been employed, Mr. McClurkin's speech is not included in this Report, which begins with the addresses of the following morning, Wednesday, June 3.

Before closing this Introduction one matter requires notice as no unimportant factor in this remarkable Trial. This volume will be appealed to for the facts in the case by future generations; and so pertinent a fact as the one in question, not likely to be put on record anywhere else, ought in the interest of the truth of impartial history, to find its place in this record.

All through the proceedings in this case by the Pittsburgh Presbytery, the ministers who were at length suspended for pursuing a divisive course, were treated as earnest and devoted Christian gentlemen. In no instance was it charged that their intention was to create disorder or divide the church. They were regarded as sincere in seeking what they believed to be the highest interests of the church, while yet it was Presbytery's judgment that their course was both a mistake and an injury. Their arguments, even when they assailed the principles of their own profession were heard with courtesy. they attempted to justify themselves by quoting certain extreme utterances of individual Covenanters, industriously gathered from the literature of many generations, or by charges against Synod of inconsistency in its deliverances, or by new and oftentimes startling interpretations of the standards of the church, they were credited with all sincerity and earnestness, and with brotherly regard and respect for the authority of the courts of the Lord's house.

Not until months after the trial in Presbytery did the state of mind of a number of ministers in question become somewhat widely known. But then a flood of light was let in upon "the true inwardness" of their thoughts and feelings in reference to the members of the Presbytery, who, according to their view, constituted an authoritative commission of the court. This revelation came through a letter written by one of the ministers who met with the Judicial Committee.

No one who has anything like full knowledge of the facts in the case needs any proof beyond the letter itself of the genuineness of the epistle. It was written the day after the Judicial Committee met, and soon after being received by the one to whom it was written, it was given to a friend to be copied on a type-writer in a business office, and not long after this other copies were made, and thus the letter by the act of its recipient and friends passed from under the seal of privacy and became widely known. No one is to blame but themselves for the breaking of that seal.

When Synod met this letter was read in part as having direct bearing on the case. This stirred up a perfect tempest of indignation against the man who had read the extracts, and against others who, it was said, had been guilty of the outrage of making public a private letter. But the men and journals that were boiling over with righteous wrath against these offenders had no word of condemnation for the writer of the letter. The letter itself is now put upon record in full, except that the names of the writer and the recipient are omitted.

"LIBERAL" LETTER.

DEAR ---:

This letter shall at least be addressed to you, even though there may be nothing in it to you especially. We have gained the most complete Victory!!! over that gang that you could possibly imagine.

The Judiciary met at 10 o'clock yesterday morning in Sproull's church,—J. W. Sproull, Mod., R. J. George, Clerk. The other members were McAllister, Willson, Copeland, D. O. Brown, and John Magee. This is not the Magee of Oil City, but I think he belongs at Middletown or Slippery Rock.

We boys were summoned to meet them at 2 o'clock in the afternoon. From the spirit manifested in Presbytery, and from the fact that our explanations there had not been accepted, and because they seemed determined to force the most stringent measures upon us at Presbytery, we looked for a pretty tough time in the Judiciary.

I prepared the statement you sent me; but the boys were strong in the consciousness of having done no wrong, and their judgment was to the effect that we make no further explanations, and to positively refuse to sign any paper. Mr. Copeland opened the meeting with prayer, and then J. W. made a little speech. It was evident to all that he was extremely nervous. He spoke in a very kind, mild way, assuring us of the love they all had for us, and of their firm conviction that our meeting at East End and the Platform there subscribed had been misunderstood, etc., etc. They had therefore prepared a very short paper, which he was confident all would at once sign, and then the case would be dropped, and the Judiciary would prepare their report, which would be of such a character as to entirely restore the confidence of the church in us, etc., etc. We had him read the paper over several times, which in substance was as follows: 1st. We disayow the East End Platform as a bond of union within the Reformed Presbyterian church, and hold it simply as an explanation of individual opinion. 2nd. We agree to conform to the law of the church in regard to the use of the ballot at civil elections and holding office under the U. S. government, and will enforce the above requirement while we remain ministers in the R. P. church. 3rd. We will not propagate views contrary to the above requirement. This was about all as near as I can remember it. The Judiciary had agreed among themselves to let the moderator do all the talking, and it was evidently his policy not to make or require any explanation of the paper, but to let every one explain it to suit himself. We, however, began to ask questions and to make objections of one kind and another, until we got the entire Judiciary talking.

They assured us there was no trap in the paper, and nothing to be read between the lines. They would stand between us and any false and extreme interpretation that might be put upon it. Temple told them that there were prominent men in his congregation who had been voting and holding office for years, and he wanted to know if signing that paper would require him to go home and bring those men to time. The Judiciary said that would be an exceptional case; they realized the difficulties of it, etc., and he would not be bound to exercise discipline in those cases by signing their paper. We made them say that the promise not to propagate did not prevent our explaining our views in private to individuals, nor bringing the matter up in a regular way at Synod. fact we had everything explained our own way. Then they said: "Now with that understanding you can all approve of the paper." We said, "Yes." Then they wanted us to sign it, and we refused. It was certainly laughable to see Sproull going around with the pen. He fairly begged me to please come and head the list. He put the chair up to the table a dozen times for us, and coaxed us individually and collectively to sign. We however stood on our dignity. I told them we had done nothing worthy of bonds and imprisonment, yet in slanderous newspaper articles they had suspicioned our character, and publicly charged us with terrible crime; that the Presbytery had refused to accept the statements we made in open court, and had appointed this Judiciary and empowered them to draw up libels against us in case we could not come to a settlement. If we signed that paper, it would imply that we had done something wrong and were now pledged to toe the line. We, however, did not propose to admit even that much. We had done nothing contrary to the law and order of the church, and preferred that they should go ahead with their libels and either convict or acquit us as publicy as they

had charged crimes against us. We pitched into the Elders' Convention, and the ministers who were behind it, and the ministers who had denounced us and the Platform from their own and in other pulpits. We claimed it was nothing we had done, but their misinterpretations and their unbrotherly conduct that had caused all the disturbance in the church, and that in all justice they were the ones who should be libeled for pursuing a divisive course. We sat around there for two hours refusing to sign their paper, inviting them to libel us, and condemning their course. We kept our tempers, and spoke and acted like Christian gentleman through it all, and this made our words the more keen. At one time Dr. McA. said: "You all know what my idea of church union is." Brown replied: "I know it, Dr., and it is because I accept your idea that I find myself in all this trouble." We assailed Willson for bringing in those libels. He said: "Gents, if I had heard your speeches, I would never have put them on the table." Some one told him that his haste was in very bad taste; that if he had waited he could have put the libels under the table, where they belonged. When they found that we would not sign their paper, then they prepared a minute to the effect that on examination it was found that we had been misunderstood, and that as we all approved of the statements made in their paper, the case was dropped. Then they marched around the room and gave us the right hand of fellowship, expressing their joy that confidence was again restored between brethren. This performance was not the least ludicrous part of the proceedings, as you may well imagine. We boys can hardly believe that we are not dreaming; and the people seem to be delighted. One man told me that he saw we boys had got into the king row before we left Presbytery, and he knew it was only a question of how long it would take us to corner them. Harry Temple is the only man not satisfied. He admits that we gained a decided victory, far greater than he had any hopes of our securing. He roared at the way we pranced around the Judiciary, and the manner in which the D. D.'s and L.L. D. got down on their knees to a lot of boys, and begged them to sign their paper; but he says we were like Meade at Gettysburgh—we got the enemy on the run, and then failed to follow up our advantage. He thinks we should have demanded an apology from the Presbytery. But unless I quit this cannot go off to-day. So with love to all, I remain.

A letter like the foregoing speaks for itself. It tells its own story. Its spirit is under no cover of restraint. No reader, however unfamiliar with the facts of the case, can misunderstand its unreserved and unintended revelation. A few points, however, need to be brought out, for the sake of some readers, in connection with this extraordinary document:

- 1. It was written by one of the ministers who met with the Judicial Committee, just after these ministers had come together to rejoice over what they regarded as the humiliating defeat of that Committee, and their own signal victory. Let the reader compare such statements in this letter as these—"We have gained the most complete Victory!!! over that gang;" "he roared at the way we pranced around the Judiciary," etc.; "one man told me that he saw we boys had got into the king-row," etc., with the reference to the announcement of "Victory for the liberals," found in the Trial on pages 175, 184, and 398. He will then clearly understand what might otherwise seem obscure as to the origin of the newspaper reports.
- 2. This gathering of these "liberal" ministers for such uproarious triumph just following the meeting of the Judicial Committee is in marked contrast with the meeting of that Committee, when in its private conference that morning every one of its seven members offered earnest prayer in turn, mentioning most affectionately the young men who were to meet with them in the afternoon.
- 3. The references in the letter to Dr. J. W. Sproull, chairman of the Judicial Committee, will be compared with the references to the same person as found in the Report of the

Trial on pages 65 and 311. The value of the latter will be justly appreciated after such a comparsion.

- 4. Such a reference in the letter as that to the alleged willingness of the Judicial Committee to have one of the ministers go home and permit a prominent member to continue to vote and hold office, as he had been doing for years, needs only to be put side by side with the basis of agreement itself, in order to see the self-evident contradiction. First, there is an agreement to carry out the law of the church, in the matter of civil elections, and then the Committee are represented as agreeing that there may continue to be the violation of this law. It required a peculiar state of mental unsettlement to put together such self-contradictory terms. In like manner the implications in the references to Prof. Willson's admission as to bringing in the forms of libel, and Dr. McAllister's views on the organic unity of the church, partake of the same character of special pleading.
- 5. This letter is a revelation of the state of mind not only of the writer, but of all the ministers who met to celebrate the victory, and of those who afterward helped to circulate the letter over the country. And this spirit of triumphant ridicule and contempt, it will be borne in mind, was for what was believed to be a Judicial Commission of the Presbytery; that is, not a committee, but an authoritative court of the Lord's house. To all such courts the vows of members of the church, and especially the ordination vows of ministers, pledge due respect and obedience in the Lord. When the kind, patient, and generous efforts of brethren and members of the Presbytery, even if not regarded as a commission, excited such ill-timed merriment and such contempt, it is easy to understand what the state of mind of these ministers must have been afterward, and during the

whole course of the Trial. The spirit of the letter harmonizes with later manifestations.

6. The saddest point of all suggested by the letter is the fact that the irreverent, disrespectful, and contemptuous frame of mind of the company of young ministers who met with the Judicial Committee was known to older, if not wiser men. These older officers in the church were therefore responsible for the insubordination and contempt of authority revealed in the letter, so far as they gave their positive encouragement, or rather so far as they failed to administer needed counsel and reproof.

Stenographic Report.



STENOGRAPHER'S AFFIDAVIT.

STATE OF PENNSYLVANIA, COUNTY OF ALLEGHENY. SS

Before me, the undersigned authority, personally appeared J. H. Beal, who being duly sworn according to law, desposes and says, that on the 3rd, 4th, 5th, 6th, 8th, 9th, and 10th days of June, 1891, he was present at the trial of H. W. Reed and other Ministers before the Synod of the Reformed Presbyterian church at Pittsburgh, Pa., and did take in shorthand a true, full and accurate report of all said proceedings; and that thereafter he did faithfully and accurately transcribe said shorthand notes in type-writing, and that the type-written copy of said proceedings to which this is attached is a true, full and accurate report of the proceedings at said trial, to the best of his knowledge and belief.

J. H. BEAL.

Sworn to and subscribed before me this 14th day of November, 1891.

WILLIAM BEAL, Notary Public.



STENOGRAPHIC REPORT

OF THE

Trial of the Complaints and Appeals

--OF---

H. W. REED, A. W. McCLURKIN, W. L. C. SAMSON, O. B. MILLIGAN, E. M. MILLIGAN, AND J. R. J. MILLIGAN,

BEFORE THE

SYNOD & REFORMED PRESBYTERIAN CHURCH OF NORTH AMERICA,

AT PITTSBURGH, PA.

[The opening address of A. W. McClurkin, made on the evening of June 2, was not reported.—Reporter.]

WEDNESDAY, JUNE 3, 1891.

The Court being duly constituted the Moderator announced that Rev. H. W. Reed would speak in prosecution of his Ap-

peal and Complaint.

Rev. H. W. REED: Mr. Moderator, Fathers and Brethren: Before entering upon my defence proper. I wish to speak to a question of personal privilege, and that is in order to disabuse your minds of certain wrongs that may be done to me or done to others. It has been asserted in this court that certain older men are our leaders. Now, I wish you to understand that I am following no man's leadership, but that I am simply following, so far as I am able, the teachings of our subordinate standards and of the Holy Scriptures. And I wish to be acquitted or condemned, not for what others have said, or what others have inferred, but simply for what I myself have said and what I myself hold.

Then, to begin, with regard to the rule of interpretation in regard to our utterances. Ruskin gives this rule for the interpretation of writings: "Be sure that you go to an author to get at his meaning, not to confound yourself; be sure also if the author is worth anything, that you will not get at his meaning all at once." Now one great trouble with all this discussion and with all these trials is that they have taken us up not on our meanings, or our utterances, but on meanings that they have put to those utterances. Some parties reading

our East End Platform the first time thought it was very bad; the second time they read it it was not quite so bad; the third t'me they read it they could find nothing wrong with it. Now we ask this rule to be applied and carefully studied as to what these words meant to us, not what they might suggest

to you.

With regard to the Minutes of the Pittsburgh Presbytery my brother who was before you last evening called your attention to the incorrectness of the record. I wish simply to add my testimony to what he has said. The records of the Pittsburgh Presbytery, are in some places incorrect and in some places not complete. There were actions taken in the Pittsburgh Presbytery that are not found whatever in the records, that were essential to us in the presentation of our case.

It may be said that we might have called attention to these things at the time. To some of these attention was called and we were unable by any means within our power to have the record corrected. Besides, the Minutes of the 14th and 15th of October and succeeding days were not read for correcting on the 4th of November, the 9th of December or the 13th of January; they were only read at the April meeting for correction and adoption and we only discovered after we had gone to the Minutes for our extracts that certain things had been omitted; and some of us were not present at the April meeting to have these corrections made. And yet the clerk of the Pittsburg Presbytery was told of these things and he was requested to have these matters brought to the attention of the Court. So the records are not complete.

You will notice that the first reason of my protest and appeal has to do with the East End Meeting and with the East End Platform. And you will notice by referring to the defence or action the Pittsburgh Presbytery has published by their own man that the first act with which the Presbytery begins in the investigation of the case, is the holding of the

East End Platform to be our crime.

Now we wish you to understand that the Pittsburgh Presbytery never for a moment took into account the state of affairs anterior to the East End Meeting. They never for a moment considered what was said concerning our action against adopting the report at the last Synod. They never for a moment considered that we were slandered and that our organization was misrepresented and that we were urged to leave the church, the church of our fathers. Here was a state of things, Fathers and Brethren, that never was brought to the attention of Presbytery. We tried to refer to them but we were unable by reason of our inexperience, it may be; by reason of youth, it may be. We were unable to get these anterior facts before the Presbytery and these facts ought to have been there.

The East End Meeting and the East End Platform is held to be our crime; it was held to be an attack on the life of the church; it was claimed that we endeavored to destroy the Covenanter Church. A man is arraigned for murder. The fact of the killing of another man is admitted. But must there not be an investigation of anterior facts with reference to the killing of that man before you can determine what his crime is? Supposing the East End Meeting was a crime; supposing the East End Platform was an attack on the life of the church, were there not provocations, were there not temptations, were there not difficulties with which we had to contend that would largely take away the heinousness of that crime and give unto us at least some show for what we did?

We were misrepresented before the East End Meeting was held. We were called "covenant breakers;" we were called "heretics;" we were called "new-lights." It was said to us again and again by others of the church, "If you believe so and so you ought to leave the church." There were some who refused to pay the salaries which they had bound themselves to pay, to contribute to those schemes of the church by which we support men that voted against the adoption of the report for union. Here was the state of affairs, dear Fathers and Brethren, that was in our very faces; wherever we went we were looked upon with suspicion, we were received with distrust and we were not welcomed with brotherly love and kindness.

Ah. what could men do under these circumstances? You are to consider those things. We were placed in that dilemma; what should we do? Besides, if you will turn to the printed Testimony you will find a statement made of this kind: No association of men on earth is infallible and there is no certainty that any one particular church in any particular place shall remain always pure." One reason I assign why I voted against the adoption of the report on union at the last meeting of Synod was because the church had already forsaken her historic position. She gave up that historic position in 1863 when there was the adoption of the oath for Covenanters entering the army. I hold that still to be the case. I remember reading a certain discussion concerning that matter by the Rev. William Milroy, a man who was beloved by myself, and who was highly respected by all the members of this court, in which he showed clearly that if that was persisted in the church was losing her historic position, and at the end of that discussion he gave utterance to a prophecy, the very prophecy that is being fulfilled at this very day. There was a discussion begun in 1863 and ever since there has been the utterance of doctrines and of sentiments that are opposed to and are destructive of the Reformed Presbyterian Church, and accordingly we have

again in the same chapter of our Testimony, the 21st, Sec. 5: "When any church imposes sinful terms of communion, when the constitution is anti-scriptural, when the administration is corrupt and attempts at its reformation have proved ineffeetual it is the duty of Christians to separate from it; and if the majority should violate the terms upon which church members were united it is lawful for the minority to testify against the defection and to walk by the rule of their former attainments." "It is lawful for a minority to testify against the defection and to walk by the rule of their former attainments." Now I have done nothing in connection with this whole matter, the publishing of the East End Platform. but give publication to the teachings that my father taught me, and in that I have declared and declare now that I repudiate the teachings of political philosophy that were given me in my college and in my seminary course and fall back upon the teachings of my beloved father who never accepted this philosophy and who held that that action of 1863 was a

defection from the historic position of the church.

Now, here was a case of defection. We were placed in a position that we could not and did not know what to do. Here were the interpretations of Synod concerning this case. Here were the interpretations of church courts. What should we do? Well, Brethren, I felt like following the example of my grandfather. In 1832 he was asked when he applied for licensure to accept the interpretation of the Philadelphia Presbytery as to the moral character of the United States Government. He refused to accept that interpretation and was refused license. He would not submit to the interpretation of the law by the Presbytery of the church. Following that same example I joined with my brethren to testify against the defections of the majority of this church in holding the East End Meeting, and my one great aim in holding that meeting was to help the church get rid of these false teachings, these errors, and these heresies and come back to the grand old position that was held by our fathers and on which they triumphed. Now there is the right of the minority to testify. How shall they testify? As individuals or by gathering and determing what their testimony shall be? Certainly by having their meetings. Certainly by publishing their platforms. That was what was done by Cameron and Cargill before the publication of their Declaration; there was a private meeting; they discussed that matter and then the platform was published—the Sanquhar Declaration. Then again there was another meeting on the 15th of December 1661. Representatives from all the societies were gathered there. It was a secret meeting. They organized for correspondence; they deliberated upon and afterward published the Rutherglen Declaration. There is an example and these examples may be multiplied again and again. Now we wish you to understand here that we are arguing on behalf of the right of a minority to hold private meetings and to publish their platforms and their testimony against the defections of the majority.

Now we come to the concrete case. The question is was the East End Meeting justifiable or not? The Presbytery tried to condemn both the principle as given unto us in our own Declaration and Testimony and likewise at the same time to

condemn the concrete case.

If you will refer to the Minutes of Presbytery you will find that they published many declarations, one of which is this: "That Presbytery expresses its condemnation of the East End Meeting of July 22nd — [the date is wrong, Brethren; that meeting was held on July 15th]—as having been held without due regard to the act of the last Synod and as having by its methods and utterances awakened apprehension throughout the church." Now notice in this act the first charge against us is, that the East End Meeting was held without due regard to the last Synod. What act? It is not specified in this Resolution and we are left to take the Minutes of the last Synod and determine for ourselves what act was determined. What act? Does it mean this act? "Witnesses for Christ's royal claims may act in voluntary association without pressing, in connection with such an organization, the duties of political dissent." Turn, if you wish, to the 227th page of the Minutes for 1890. In the thirtieth chapter of the Declaration, civil association is declared to be a voluntary association. See the false philosophy. See what that Synod itself unanimously adopted and unanimously published. Of course that was not the act our brethren intended but we might as well refer to that act as any other. They refer us to the act found in the report of the Committee on Discipline, the third item of that report, which is in answer to the paper brought up from the congregation of Boston.

Now we wish you to notice concerning the act forbidding free discussion that it comes up in connection with the request to repeal the act of 1889 in regard to voting on Constitutional Amendments, and as part of the answer to that request forbids those opposed to the act of 1889 to discuss further that question. But this act is on a parallel with the act of 1868 which forbade members of the church to vote on Constitutional Amendments. Both of these acts were passed at the close of a session of Synod, being reported by the committee on discipline when the members of Synod being weary and anxious to return home were unfitted to consider and pass important acts. The act of 1868 has been held to be invalid. and the arguments have been before this court again and again, on these accounts, passed at the close of Synod when the members were tired and weary and there was not due

opportunity given to consider and adopt the act.

The same thing that invalidated the act of 1868, certainly argues against the validity of the act of 1890 forbidding free discussion,—brought up at the last hours of Synod, after the hour of nine o clock, and adopted, and then by a very small majority. Why should Presbytery then insist on the act of 1890 as valid when it itself did not hold to the validity of the act of 1868, in urging the Synod in 1889 to give a deliverance on the consistency of voting for constitutional amendments? We may properly doubt the validity of the act of 1890.

The East End Meeting is also condemned because of its methods. The word "methods" being plural there are at least two methods that are objectionable. These methods are not directly named, but one of them probably is the secrecy connected with the East End Meeting. This secrecy is that

which certainly created alarm.

The only ground upon which secrecy can be condemned is Section 5, Error 7 of the 22nd Chapter of our Testimony. The Testimony certainly condemns secrect associations. Before the 15th of July there was no association. There is a difference between a secret association and a meeting of persons in private. We simply held a private meeting of those who were supposed to have the same views, so as to determine what we should do.

The East End Meeting was a private meeting. There was no formal call, no pre-arranged programme. There was no grip; there was no pass-word; there was no pledge or oath; there were no secret rites. We, as representing a minority, held a private meeting as to what action we should take. In this we followed the example of the martyrs. Those society meetings from 1681 to 1690, what were they? Secret meetings. Ay, and they had their pass-word, and their pass-word was "Reformation." If we condemn this meeting on account of its privacy then do we condemn those who gave Renwick to the world.

Another method, is the fact that we formed an organization,—the fact that we formed an organization. This fact the Presbytery in its Letter claims to have been ignorant of at the time of beginning process against us: "It is one of the facts that came before the court as the trial progressed, that the East End Meeting, as proven by its official minutes, effected a permanent organization on the basis of the Platform then and there adopted." That is the language of Presbytery's I etter.

Now, we remark on that, the official minutes of the East End Meeting were never before Presbytery. And we remark further, there are in existence no official minutes of the East End Meeting. This claim of proof from this source is not true. It was because the elders and ministers believed that such an organization had been formed that Presbytery introduced the processes against us. The East End Meeting was held on the 15th of July. The Elders' Convention was held on the 12th of August. The call for this Convention was circulated before the date of its assembling. In this call is this language: "It appears from reports in the puplic press, and from others sources, that a meeting has been held by certain ministers and elders of the Reformed Presbyterian Church, styling themselves the friends of Christian union' and forming an organization." There is the language in the call for the Elders' Convention. They charge us with forming an organization. And yet Presbytery claims that this fact came out as the trial was carried on.

This call came officially before Presbytery in paper No. 5. In paper No. 12, being Memorial and Petition from the Session of Beaver Falls, is the following statement: "Under the plea of promoting Christian union, they have formed an organization and formulated a platform." That is in a Memorial from the Session of Beaver Falls congregation. And yet, members of Presbytery who aided in getting up that Memorial, in Presbytery stated that they were surprised that

an organization had been formed.

The Judicial Committee evidently believed the same thing, for the first item of their basis of agreement reads thus: "We disavow the East End Platform as a bond of union within the Reformed Presbyterian Church." Why did they ask us to disavow the Platform as a bond of union if they did

not believe that there was an organization.

Thus the claim, to be found in the Pastoral Letter, that the knowledge of the supposed organization came from the official minutes of the East End Meeting is false when the proof is abundant that the very belief of such an organization is that which led to instituting process. But was there an organization formed? The East End Meeting adjourned without date. On the basis of the East End Platform there stands no organization, nor ever did stand any organization. Our adherance is n t that of an organized body but of individuals. Thus the methods of the East End Meeting need not have awakened apprehensions in the church.

And yet, dear Fathers and Brethren, we wish to say this: If you preserve to the minority the right to have their private meeting, and the right to publish their platform in answer to their grievances and misrepresentations, and yet look upon the East End Meeting as ill avised, as imprudent, as unwise, as not having been justified by the circumstances of the case, we will bow with submission to your sentence. We wish you to distinguish between the abstract right and this one concrete case. If you simply admit the right of a minority to hold this meeting, we are willing to admit that certain concrete cases may be unwise, imprudent and hasty.

However, we were placed under process because we were:

present at the East End Meeting and continued to adhere to the East End Platform. And our continued adherence to this Platform is claimed to be a divisive course. The Pastoral Letter has this language: "The fact that the Covenanter Church is to-day being divided is not disputed by anyone. A number of the congregations under this Presbytery are admitted on all hands to be in this unhappy condition." What congregations? All readers of this letter will inquire. Those congregations under the pastoral care of the seven ministers. What divided these congregations? The East End Meeting and Platform, or the Elders' Convention and the institution of proceedings on the part of Presbytery?

Notice that Presbytery's attention was called to this Meeting and Platform by several papers from various sources. Notice that not one of these papers came from congregations of which the seven ministers were pastors, except paper No. 7, being Memorial from New Alexandria congregation. And this Memorial expresses dissatisfaction with its pastor, not because he attended the East End Meeting but because he

voted with the minority at Synod.

Four of these congregations sent petitions to Presbytery, testifying to the faithfulness of their pastors and asking Presbytery to cease proceedings against them, claiming that further proceedings would be detrimental to their congregrational work. To these petitions Presbytery turned a deaf ear. To some of these witnesses Presbytery never paid the least attention. These congregations, feeling themselves to be slighted and cast off by Presbytery, are now in a divided condition, not because of the East End Meeting and Platform, but because of the instituting of proceedings by Presbytery. That is what divided the members of these congregations, the one against the other; and hence their condition is due not to us, but to Presbytery, in refusing to listen to their testimony.

The East End Meeting is likewise condemned because of its utterances. But as this takes in matter that is hardly appropriate in an appeal, and as we wish simply to adhere to the law, we will not attempt, at this time, to defend the East End Platform, leaving that to come up in another case, and

to be defended by more able men.

But we wish you to consider this: We believed ourselves to have cause of sufficient importance and gravity to justify the holding of the East End Meeting and the issuing of the East End Platform. Presbytery did not consider this fact. This fact is essential to a right and just judgment, and on this ground we ask you to sustain our appeal.

My second reason of appeal is, Because Presbytery was induced to institute the process against us by misrepresentations of the purpose and aim of the East End Conference and

Platform.

My appeal specifies five items under this reason. These items call attention to ten papers presented to Presbytery, which call Presbytery's attention to us as followers of devisive courses. To these items as stated in my appeal, (and as printed), I call your serious and careful attention, and to save your time and mine, I simply call attention to certain facts.

FIRST. All these papers, with the exception of No. 24, make no mention of the published purposes of the East End Meeting and Platform. I want to emphasize that. papers, with the exception of No. 24, make no mention of the published purpose of the East End Meeting and Platform. That purpose, as published with the Platform, is "to correct the misrepresentations of our position, and show to all concerned exactly where we stand." Surely it would have been no injury to truth and the peace and unity of the church had the promoters of these papers made mention of this purpose and given to it whatever credit it deserved. The best way to convince a man of the error of his way is to meet him on his own ground and show him how untenable it is. the promoters of these papers ignored our purpose and imputed to us other motives. This ignoring of our purpose is evidence to us that a partial and not an impartial decision was desired.

In paper No. 24, the only paper that makes SECOND. mention of our purpose, one half of this purpose is suppressed and the other haf misquoted. This paper is a libel against Rev. H. W. Temple. The charge against him is causing to be published the East End Platform. The Platform itself is inserted in the libel. Immediately after the Platform as inserted in the libel, follows this sentence: "Your communication stating that the Platform was published 'to show to all concerned where we stand." Now there is omitted from this the phrase "to correct the misrepresentations of our position," and the word "exactly" is omitted from the second part of this phrase. Thus one important part of our purpose was suppressed, in one paper introduced before Presbytery, Such suppression is misleading, and betrays rather the partisan politician than the methods of a true-minded man.

THIRD. In some of these papers an altogether different purpose is imputed to us. This especially is the case in paper No. 5, being resolution adopted at the Convention of Elders of Pittsburgh Presbytery. In this paper is inserted the call for the Elders' Convention with a list of signers' names, and some of these names are forgeries. This call has this language: "Forming an organization for the express purpose of seeking the abandonment, by the Covenanter Church, of her distinctive principles and practices, as is openly declared in their published Platform." We have already shown that no permanent organization was formed. We have

called your attention to the published purpose of the Platform, "to correct the misrepresentations of our position and to show exactly where we stand." Now, we ask the writers of the call to the Elders' Convention, where is it openly declared in our published Platform that we formed an organization for the express purpose of seeking the abandonment by the Covenanter Church of her distinctive principles and practices? It cannot be found in that sheet. It cannot even be found by way of inference or implication. It is a base misrepresentation of the purpose of the East End Meeting and Platform. This same misrepresentation is repeated in several of the memorials, and by such misrepresentations was Presbytery induced to institute proceedings

against us.

Again, in some of these papers Presbytery is Fourth. asked to take such action as is contrary to the principles, Declaration and Testimony of the Reformed Presbyterian Church. Especially is this the case in the papers No. 11 and 15, being memorials from the sessions of New Castle and These memorials are the same, word for Slippery Rock. word, with the exception of the name of the congregation. In these memorials is this language: "We humbly submit that in the wisdom God may give you, this Presbytery should offer to our mistaken and erring brethren the choice of one of three things; either, first, they should be given letters admitting them to other denominations where they can find agreement with their views." This is the first alternative. session of New Castle and Slippery Rock asked Presbytery to offer us, "first, they should be given letters admitting them to other denominations where they could find agreement with their views." Now the especial principle of the Declaration and Testimony violated by this proposal is in chapter 21, section 4: "It is the duty of a Christian to pray for the reformation of Christ's Church, to inquire what part adheres most closely to the Scripture plan, and without prejudice join in that communion which is most pure, and in which he may prove most useful in the service of Christ." This is a duty which I may claim to have done. By inquiring I have found the Reformed Presbyterian Church to adhere most closely to the Scriptures. I have without prejudice offered myself to that church as a member. I have been examined by competent courts, and my examination has been sustained, and I have been admitted both as a member and as a minister of that church.

Now, no member, no minister, no session, no Presbytery, after I have been received into the church, has any right to say to me, your views agree with the principles of some other denomination; leave us and take a letter from us and join that denomination. But this is what the New Castle session requested Presbytery to ask us to do. If my views should be found out of harmony with the standards of the church, I

should be placed on trial, and those views should be proved to be false. But because some supposed them to be false, it is certainly out of place to ask me to take a letter of standing to some other denomination. Yet, that was what Presbytery was asked to do. By so doing they asked Presbytery to become guilty with them of the error which the Declaration and Testimony condemned,-"That it is a matter of indifference to what church a person belongs." The Pastoral Letter attempts to defend Presbytery by claiming that Presbytery offered to us these letters of standing. The language in the Pastoral Letter is: "The simplest and easiest solution of the difficulty, therefore, seemed to be that those whose position and convictions were so vitally opposed to the position and convictions of the church and of the Presbytery should be permitted to go into some other ecclesiastical body, where they would find themselves at home and at peace with their surroundings, and where their course would not be divisive, either in their own judgment or that of their ecclesiastical brethren. It was proposed to them consequently to choose their church connections elsewhere, and Presbytery would give them certificates of standing. But this peaceful dismissal was peremptorily declined.? That is the language of the Pastoral Letter. Now such a proposal is contrary to Covenanter principle. and so, as Covenanters, we could not accept it.

It is claimed that such proposal was offered on the ground that the position and conviction of the minority were opposed to the position and convictions of the majority and not on the ground that the position and convictions of the accused were opposed to the principles of the Declaration and Testimony; hence we are asked to leave the church because our interpretation of the standards does not agree with that of the majority. The Pastoral Letter hints that our course was in our own judgment divisive. But this is what we deny, and to have accepted letters of standing under these circumstances would be the disavowal of our denial. But what is more to the point; Presbytery never offered us certificates of standing to other denominations, and so we had no chance to accept or refuse them. A resolution was introduced to that effect, but Presbytery itself voted down the resolution, and there is no record of it in the minutes. Thus the Pastoral Letter resorts to falsehood in order to justify the action of Pres-

bytery.

FIFTH. All these papers asked Presbytery to take uncalled for and unnecessary action. We have shown that our Declaration and Testimony gives to the minority, the right of free speech, free assembly and a free press. We have shown that our East End Meeting and Platform were in accordance with the right of the minority. We admit that our meeting may have been unwise and imprudent. We may have been hasty

and rash. We may have caused displeasure to our brethren. But this imprudence, rashness and displeasure, were not sufficient cause for discipline to be applied to us. The Declaration and Testimony condemns as an error this statement. That a professor should be censured by a church judicatory for everything at which another may justly be displeased.

(Chapter 31, Error 2.)

Now we grant that brethren in the church may be justly displeased at our East End Meeting and Platform; but the fact of their being justly displeased, according to the second error condemned in the 31st chapter of the Testimony, was no ground for instituting proceedings against us. Because misrepresentations of our Meeting and Platform induced Presbytery to institute proceedings that are contrary to the Declaration and Testimony, I ask Synod to sustain my appeal.

My third reason of appeal has to do with the withdrawal of my assent from the basis of agreement proposed by the Judicial Committee. As to this reason, I wish you to consider that I was deceived as to the nature of the Judicial Committee. When I gave my assent to the basis of agreement I believed myself to be treating with a judicial commission, and not with a committee. This belief that it was a commission and not a committee was based upon the

following considerations:

1st. It had the powers of a commission conferred upon it, —to "make further effort to agree upon a basis of settlement; if such effort proves unavailing, then this committee shall have full power to call witnesses before them to ascertain the facts, and if found necessary to frame charges and call a special meeting of Presbytery, and cite the parties and witnesses to appear." Is not that the power of a commission rather than of a committee?

2ND. It was appointed according to the custom of the Pittsburgh Presbytery of appointing commissions. The members were nominated by the committee on supplies and then approved by the court. Committees are generally appointed by the Moderator; commissions by the court Because this was appointed by the court I believed it to be a

commission.

3RD. Some appointed on this Commission were not members of Presbytery. Mark that, some appointed on this Judicial Committee or Commission were not members of Presbytery. It has been the custom of Pittsburgh Presbytery to appoint elders, not members of Presbytery, on commissions: but all members of committees must be members of the court appointing them. Thus I believed this to be a Judicial Commission.

4TH. I was asked to attend the meeting of the Judicial Commission in the Central Reformed Presbyterian Church on October 22nd, 1890, at one o'clock in the afternoon.

This belief of mine is still farther sustained by personal

testimony and circumstantial evidence.

First. It was constituted as a commission on October 22nd 1890. The chairman was Rev. J. W. Sproull, D. D., and he was likewise the second member of the Committee on Discipline which framed the resolution directing the appointment of the body. He had a good chance to know whether a commission or a committee was contemplated. He had as good an opportunity of knowing whether a commission or a committee was contemplated as any other member of the Committee was contemplated as any other member of the Committee on Discipline. Trusting to his memory, (and Dr. Sproull has a good memory,) he constituted a commission, and then after the court was constituted he learned his mistake by the reading of the Minute which authorized their appointment and defined their work.

SECOND. There is strong circumstantial evidence that the chairman of the Committee on Discipline, after the report of the Committee on Discipline had been adopted and after the Presbytery adjourned, changed the word "commission" to

"committee."

Dr. R. J. GEORGE: Mr. Moderator, I ask the clerk to take

down that statement.

Mr. H. W. REED: And in the same resolution inserted the words "and if successful to call a special meeting of Presbytery for its consideration."

Dr. R. J. GEORGE: Take down the full statement. I suppose

of course it appears in the written manuscript,

Rev. H. W. REED: It is right here, (referring to written

manuscript.)

Dr. GEORGE: I wish it taken down so that the exact words will be reproduced. Of course, I claim, as a question of privilege, being chairman of the Committee, to whom the allusion is made, to hold the author of it responsible; and I therefore wish the statement to be on the record.

Rev. H. W. REED: Now I will ask your attention to the

evidence on which I have made this charge:

1. The Report of the Committee on Discipline was amended and adopted, as appears in the records of Pittsburgh Presbytery. Item No. 6 was stricken out. But here is one portion of the Minutes of Pittsburgh Presbytery that is incomplete; it makes no mention of Item No. 6 being stricken out. The copy of the report in the clerk's hands contains no erasures or insertions for amendment. Remember, the copy of the report of the Committee of Discipline in the clerk's hands contains no erasures or insertions for amendment. The clerk of Pittsburgh Presbytery stated that the original report of the Committee on Discipline never came into his hands, and that he only received a corrected copy of the original report. Now there are three witnesses to this statement made by the clerk of Pittsburgh Presbytery. Besides this, no copy of the report

was in the clerk's possession until after the meeting of the Committee on October 22nd, 1890. The clerk left before Pittsburgh Presbytery adjourned, and went east to attend certain arrangements he had made. He was not present at the special meeting of Presbytery on November 4th, and the chairman of the Committee on Discipline retained the original copy in his possession for the use of the Judicial Committee.

2. The original draft of the recommendation of the committee on supplies nominating the members of this Commission has the abbreviation, "Com."—"The Judicial Com. shall consist of the following persons,"—and the syllables "mittee" are inserted with a lead pencil. Now, Judicial "Com." might mean Commission or Committee, and somebody, for a definite purpose, removed the doubt by inserting the syllables "mit-

tee" with a lead pencil.

The great surprise of myself and others when a special meeting of Presbytery was called for November 4th, 1890. We left the Judicial Committee believing the whole matter would rest until the regular meeting of Presbytery in April, 1891. We knew that Presbytery must pass upon the work of the Commission; but we felt that Presbytery had so great confidence in the Commission that no special meeting was desired or needed. When word came to me by postal card of a special meeting to be held on the 4th of November to take action on the Report of the Judicial Committee I was surprised. The week following, for a few days I kept asking myself, "What does this mean?" I hardly knew what to do or what to think, and many others were likewise surprised, because we supposed the whole matter would rest until the meeting in April, 1891. Now, on these accounts, and on those in the same connection, stated in our appeal, we beg of you, for the sake of truth and impartiality, for the sake of right and justice, to sustain our appeal. I am just as willing that my statement should go in the Minutes of Synod as my brother is.

My next reason of appeal has to do with the manner of reaching the verdict. I shall not enter into the detailed items under this head. In this, perhaps there is much matter that is irrelevant to an appeal, we not knowing exactly what should enter and what should not enter. I then pass over this matter and enter not upon its discussion to-day, but simply rest my case with the statement I have made, in addition to this: Not one of the prosecutors of the cases presented to Pittsburgh Presbytery came to me personally and talked these matters over. Members of my own congregation who condemned it, members of my own session who likewise condemned it, did come, and I was so able to explain the matter to them that they could not find much fault, and they were willing to go on with me in the work of the Lord, paying

no attention to this diversity of sentiment that might exist amongst us. And so it has been with every member that has talked this matter over with me. I have not been difficult to approach. Had the law of Christ in the 18th chapter of Matthew been followed, I am certain that the Pittsburg Presbytery would never, as far as I am concerned, have had its attention called by any paper to any of these things; and because this law was not observed, and was not followed out to the very letter, I ask this Synod to sustain my appeal, and to take whatsoever other action the Synod itself may deem just and righteous.

But I have a second appeal, and I presume I should go on

with that.

The MODERATOR: Yes, sir.

Rev. H. W. REED: My second appeal is with regard to the sentence of suspension. Now I wish to make a statement here. We were first tried on a libel. The libel was sustained, and just as soon as the libel was sustained ws took our appeal to Synod. Then after that appeal had been taken, a resolution was introduced suspending us from the ministry in the Reformed Presbyterian Church until we would give satisfactory evidence of repentance; and the sentence was pronounced. Then after that we took a second appeal. Now the question of sustaining the libel is one thing. The next question, as to the severity of the sentence, is another. I wish to call atten-

tion to my reasons of appeal from my suspension:

First. Because the appeal from the verdict sustaining the libel should have stayed all further proceedings, and especially the act passing suspension upon me. My attention was called yesterday to the old Scottish law found in the collection of Walter Steuart. I quote from the edition of 1802, page 195: "An appeal being made by parties should sist (or stop) the execution of the sentence appealed from only while the appeal is duly and diligently prosecute and may thereby be determined, otherwise not, unless the judicatory appealed to receive the appeal and take the affair before them, and in that case the judicatory appealed from is to sist until the appeal be discussed." There is the old Scotch law as to the effect and power of an appeal as to suspending subsequent proceedings.

Again, from this Scotch law, on page 194, I quote: "Sentences are in themselves null when pronounced against the general acts of the church, or by an incompetent judge, such as the sentences of Kirk Sessions against ministers, or even by Presbyteries and Synods when the process is carried and admitted before their superior judicatory. The appeal is the removal of the process from the inferior to the superior judi-

catery."

We took our appeal from the verdict sustaining the libel, thereby carrying it, as far as time was given us, to the superior judicatory. The old Scotch law, which is nevertheless the law of our church, is that that should have prevented this sentence of suspension being passed upon us. I know we were referred to certain provis ons made in the law of other Presbyterian bodies of the present day; but I wish you to understand that our terms of communion bind us to testify against unscriptural constitutions, both of church and state, and we are separated from the other churches around about us because their constitutions are immoral, because their constitutions are immoral, because their constitutions are immoral because their constitutions are corrupt, and their explanations of the law are not authority in the Reformed Presbyterian Church. We rest our case not on what other churches have decided, but upon what our own fathers of the Reformation times acted upon

and held to be their guide.

But again, because the act of suspension prevents me from fulfilling my ministerial vows and discharging my pastoral duties to the congregation over which the Lord has placed me, and interferes with my influence over certain ones who are inquiring the way of salvation. I have charge, brethren, in an important town in Ohio, of what might be called a mission station. Our work was going on nicely. We were adding every communion season to the membership of the church. We were not only bringing in persons from other congregations, but we were successful in bringing back to the church many who had heretofore been lost. And we had likewise been successful in bringing in from the streets of the world those who hitherto made no profession of the name of Christ; and there were many at this time inquiring the way to Christ. From the moment I was suspended I could not reach them; I had no power over them. Our work in Youngstown has been injured by the course of Presbytery in suspending me from the ministry, especially when from my own congregation there came no complaint, no charge, but in which there was much dissatisfaction with the act of Presbytery in suspending me from the ministry in the Reformed Presbyterian Church.

A third reason is, because it deprives the loyal, faithful and trusting people, for no fault of their own, by no complaint made by them to Presbytery, and against their express wishes and desire, of the preaching of the gospel and pastoral care of one whom they, by personal knowledge, know to be true to the principles, positions and practices of the Reformed Presbyterian Church. My congregation never sent up any memorial to Presbytery in my behalf, but they have given me verbal testimony. Some of them have said, since the East End Platform was published, they never heard more preaching or better preaching on the principles of the church since the days of Robert Gibson.

The MODERATOR announced that the next speaker in

order was Rev. E. M. Milligan.

Rev. E. M. MILLIGAN: Mr. Moderator, there is one thing I desire specially to say at the very beginning of my remarks. and that is, that it is with a great deal of sorrow that I find myself to-day before the highest court of God's house in the Reformed Presbyterian Church, appealing from and complaining of the treatment I have received from brethren in a lower court. And I feel in justice to my brethren of the lower court that I should say that the complaints of injustice and wrong that are inserted in my appeal are not to be understood in any sense as reflecting upon every member of that Presbytery. I will say further, that at that Presbytery and since the meeting of Presbytery, I have declared my firm belief that the majority of the members of Pittsburgh Presbytery were sincere, were honest, and desired simply, in what they did, to do justice. And I would to God that I could stand here to-day and say that my firm belief, with respect to all the members of Pittsburgh Presbytery was similar. But I believe that certain leaders of this Presbytery inspired the others, and led them on to do me a great injustice; led them on until to-day we stand here brothers against brothers, and the cause of Christ in the Reformed Presbyterian Church languishing. And I must also, in justice, say that while my latter remarks apply to the leaders of Pittsburgh Presbytery. yet I must make exception of one member in particular who. at every meeting, and during all this trouble, has shown himself earnest and desirous of settling the troubles in our church on a peaceful basis, and to remove the trouble in a way that would glorify God, be just to the church, and spare the ministers who have for six months been suspended from the ministry,—and that person is Dr. J. W. Sproull.

With these remarks allow me briefly to present the reasons that I have of appeal to this superior judicatory of our church. And I know that there are a great many points that I have in common with my brethren, and, as I do not wish to afflict this court with an unnecessary long session. I will merely allude to the points that have been touched upon by my brother who has preceded me, in so far as we have them in common, and I will try to leave plenty of time and plenty of room for those who shall follow me, and so that we will not all be beating in

the same track.

In my appeal to this court, the first reason is, because the trial was begun and carried on under the influence of prejudice and misrepresentation, which made my condemnation certain before the trial began. No one of those condemning me ever came to show me my sin, but contrary to Matthew, 18th chapter, 15th and 17th verses, they began to deal with me under a threat of discipline, which course they presumed to justify on the widely circulated declarations, made by certain of themselves, that I had denied Covenanter principles; that I had repudiated the doctrine of political dissent, and that I

was seeking to lead the church into defection from Covenanter principles; all of which assertions were ungrounded and unqualifiedly false. I firmly believe the doctrine of our standards and adhere in theory and practice to the Covenanter theory and practice in regard to political dissent. Now, the point that is brought up in this first item is in regard to the fact that the trial, by which I was suspended, was begun and carried on under the influence of prejudice and misrepresentation, that made my trial and suspension certain before I was tried. The first point that I have named to show the spirit was, that none of these brethren, who were constituted the Court of Christ's House, which is over me in the Lord, ever came to me to show me that I had done anything wrong.

You have all heard how the East End Meeting ever came to be held, and I here now add my testimony to the facts that the brother has stated in regard to that East End Meeting. It was the misrepresentation that was going on all over this church, that was meeting us at every turn; it was the misrepresentations that were hanging like a pall over us and preventing us from carrying forward our work, that made some step necessary to dispel this cloud and enable us to place ourselves fairly and squarely before the church. And if our judgment was wrong, if our opinions were contrary to the opinions of the majority, we were willing to place those opinions on paper in order that that majority might judge and determine

for themselves.

But we were not willing to have the voice of suspicion and the poisoned tongue of the whisperer going around among our congregations, and among the church, branding us as traitors to the cause of Jesus Christ, branding us as an organization of disturbers, and men who were determined to lead the church into defection. Hence we put on paper precisely what we did believe, in order that we might be held responsible for our beliefs, but not for the charges that were being so widely circulated against us. As a result of this the Fast End Meeting was held,—a meeting of prayer, a meeting in which the guidance of God's Holy Spirit was asked for, a meeting the very last thought of which was to bring trouble to the Reformed Presbyterian Church. Ay, brethren, the design of that meeting was to bring peace to the church that we love by correcting misrepresentations, and we never supposed for one moment, even though our opinions might be wrong, even though the majority in the church might believe and believe honestly that our opinions were contrary to the teachings and standards, that a mistake in judgment would, in the Reformed Presbyterian Church, be held as a heinous and scandalous sin.

Now, after that meeting was held and the platform of the meeting was ordered to be given to the church magazines in order that our brethren might know precisely what our opinions were, and that they might know that the assertions that

we were false to the testimony and false to the covenants, and false to the work of the church, were untrue, a daily paper took our platform and wrote up a sensational item; and in

this paper there were a great many statements made.

On the Wednesday that that paper was published I was I read the account of the East End Meeting, and that night when I went to the prayer meeting where my people were assembled I referred to this matter. I told them, Brethren, I was at this East End Meeting, I helped to formulate that Platform. At that time I told them all that there was to be known in regard to the East End Meeting and the East End Platform. I told them precisely what the design of that meeting was, and I told them that so far from our object being to destroy the church or to work discord in our ranks, it was to settle the peace of Zion and restore peace and harmony to the church in which I had my birth, and the church of my choice.

That settled the matter so far as my people were concerned. I had never preached on any of the principles of the East End Platform. I had never in my pulpit said aught against any principle of the Reformed Presbyterian Church; but I did. not only from my pulpit, but in the homes of members of other denominations, carry the principles to the government. And I have challenged debate in Parnassus, on the principles of our church. Never have I, by tongue or pen, said aught against the principles of the Reformed Presbyterian Church in the matter of political dissent or the matter of the application of those principles to the government of the United

My people there were satisfied, and I had just had a season of trial in my home, and so they voted me a month's vacation. I dismissed the East End Meeting from my mind. I forgot all about the sensational newspaper report that had been written up, and I went off for a brief season of rest and recreation. While I was in the east I learned that certain ministers of Pittsburgh Presbytery were writing letters to my congregation, writing letters to my elders, trying to stir them up and

get them to go on a call for an Elders' Convention.

The elder who told me this said that he had received a letter from one of the ministers of Pittsburgh Presbytery and he wrote back to him and said, "No, you are going to make trouble; you are going to make trouble if you do anything of that kind." and that he was directly opposed to that Elders' Convention. Nevertheless, if I am correctly informed, not a member of Parnassus session went on the call for the Elders' Convention,—not one; and yet Parnassus session is nevertheless represented there. Not an elder of Parnassus session signed the call, but their names are there to the call for that Elders' Convention. But what about that call? Where did it originate? On what grounds are the statements in it based?

The call priginated in Beaver Falls. The call contains in it statements that are as false as false can be. Why, brethren. if it were not for taking your time I would just like to read to you the East End Platform from beginning to end, and then read to you the call for the Elders' Convention. The man who could write that call, with the East End Platform before him, remembering that there is a God of justice, who reigns in heaven, and who has declared that all liars shall have their portion in the lake that burneth with fire and brimstone, must be a man of hardened heart or else of ignorance that is beyond my power of belief. That is, if these statements made in that call for the Elders' Convention be true, every one of us deserves all we have received. If the statements made in that call for the Elders' Convention have even a shadow of foundation of truth in them, it is little wonder that the Pittsburgh Presbytery, and the Reformed Presbyterian Church was roused, and that her sons rallied to that bive banner under which their fathers fought and died. But what is the truth of them? Absolutely none. The statements are false: but these statements did their work. There were a great many of my beloved fathers among the eldership in the Pittsburgh Presbytery, and a great many ministers, who simply looked at that call and believed it. Now their fault was in believing it without sufficient proof. But they believed it, and it prejudiced them against us every one, and the result is, that before our trial began, many were on the floor of Pittsburgh Presbytery declaring that we ought to be suspended, we ought to be suspended; and the cry was going all over Pittsburgh Presbytery: "Those men are traitors to the church: those men are seeking the destruction of our beloved Zion; those men are not Covenanters." This was the cry that met us, and this was the spirit that was awakened and which we had to face when we met Pittsburgh Presbytery for trial.

Now I maintain that if the individual who wrote that call for the Elders' Convention, instead of writing it on the statements of irresponsible newspaper reports, had simply come to the friends of Christian union, as known to them or suspected by them (because they could suspect us before Pittsburgh Presbytery met just as well as after meeting), if that individual had come to us and asked us in regard to that meeting. I am free to say that there would have been no trouble in the church: there would have been no necessity for charging us with having a secret organization. I had nothing to conceal, and if any one had come to me, any of my fathers in the ministery of the Pittsburgh Presbytery, and asked me, I should have told them all they desired to know, precisely as I had told my people months before Pittsburgh Presbytery called me to the bar of justice. For I had everything to reveal to those who came in the spirit of Matthew, the 18th chapter and 15th and 17th verses, and we would have soon settled all the trouble. We could soon have explained away all the suspicions, and the East End Meeting would have passed away like the summer dew or a morning cloud. But no, here is a call, and here are the members of Pittsburgh Presbytery, and the members of the Reformed Presbyterian Church, from one end of this land to the other, awakened by the war cry, "Rally for the defence of the church," and we are the traitors. What chance was there for justice when we were called to trial under the influence of such misrepresenta-

tion and such prejudice?

Then again, at the first meeting of Presbytery, held on October 4th, I was very much surprised at the memorials that came raining in to Presbytery from various congregations. charging upon certain ministers the greatest crime that it is possible for a minister to commit. These memorials were all pretty much of the same tenor and looked very much as if they were inspired by one or two master minds. memorials came into this Presbytery charging, and reiterating the charges made in the call for the Elders' Convention. They simply tended to strengthen the prejudice that was already awakened. When the Committee of Discipline, to which all these memorials were referred, came in with their report, here were six different charges not directly made against us, but fastened upon us by suspicion; and the names of the ministers who were under suspicion in that Presbytery were added to the report and we were asked to come forward and make such statements as we saw fit, in order that peace and harmony might be restored, and mutual confidence again reign in the church.

Now, Brethren, when I heard that offer I felt that the Committee on Discipline in making that offer were acting sincerely, and I believe some of them were, and consequently I accepted the invitation in precisely the same spirit in which I thought it was offered. That was the first time that my fathers in the ministry had asked me anything about it. That was the first time that any of them had come to me and said, or even hinted, Were you at the East End Meeting? Did you have anything to do with that Platform and with its principles? And I embraced the very first opportunity that my fathers in the ministry gave me to tell them all I knew. I kept nothing back. I told them the whole truth, as God is my witness.

And then what? Why, this very admission, this confession, that I made to my fathers when they asked me is put into the libel as one of the charges against me,—"Defending in open Court the principles of the East End Platform." It is the only place I undertook to defend them. I said then, and I say now, that that Platform represents my honest convictions, but aside from the time when Presbytery demanded it I had never referred to the principles of that Platform. For obeying Presbytery, for doing precisely what my brethren

demanded that I should do, make a full, frank and open statement of my connection with that meeting and its principles, that we might see eye to eye, is one charge in the libel.

Rev. ISIAH FARIS: If the brother would allow I would like to make a motion, as the time for devotional exercises has almost arrived, that we extend the time half an hour or an hour to hear the balance of his remarks. (The motion was

seconded and carried.)

Rev. E. M. MILLÍGAN: I shall try not to disabuse your favor. I pass on to the second point in my appeal, which is because at the various meetings of Presbytery held at Wilkinsburg at various times. my conduct was persistently misrepresented; also, interpretations I never intended were placed on my language, and my respectful request to have the Minutes corrected so that I might be truthfully represented were persistently denied. Now in regard to this, I will just simply refer to one instance,—it may anticipate what I have to say, but I will refer to it in this connection. As is well known by those who have carefully followed the evidence in Pittsburgh Presbytery, we were in a helpless minority, and it seemed to me that any time the Moderator wanted to make a speech he could decide the question his way.

We have been blamed for not changing certain parts of the Minutes or not having them changed. Why, my Fathers and Brethren, half a dozen times I was on the floor of Pittsburgh Presbytery urging certain changes in the Minutes, and not once was the change effected. The Moderator wouldn't understand as I would understand, and consequently an appeal was

taken to court, and the Moderator would be sustained.

And then when we come to this court they want to know why we didn't change the Minute. In one instance after the meeting of the judiciary, and the meeting of Presbytery at which that committee had reported, I had made a certain statement, and it had gone out all through the church that the young men repudiated the basis of that agreement of the Judicial Committee. I arose in court and spoke for myself informing them that that was a mistake, that I never repudiated the basis of the Judicial Committee, but because of certain interpretations that had been placed upon the third item of that basis of the Commission, I had withdrawn my consent from the third item. I will touch that more fully when I refer to the Committee. I simply call attention to the fact at this time. that I called their attention to that. Are the Minutes changed? The Minutes still hold the item that we refused the basis of this Commission. They wouldn't allow me to go on record to the fact that I had only refused to stand by the third item of that basis after misinterpretations had been placed upon it. They voted me down, and so in other cases. You might as well try to walk through a stone wall as try to have anything changed on the Minutes of Pittsburgh Presbytery, or even

have yourself represented according to your own intentions and according to your own explanations. There were abso-

lutely no changes at all,

There was one instance (I wouldn't refer to this now were it not for the fact that this case has gone on as it has to this present hour) in which a decision of the Moderator was objected, and when I, in order to settle the difficulty, arose and asked that the clerk be asked to read the paper in order that the Pittsburgh Presbytery might understand precisely what was before it, the Moderator, with a wave of his hand, announced that he had already decided that matter, and that we would waste no more time over such trifles. I then said, Mr. Moderator, I appeal from such an arbitrary decision. The Moderator informed me that was my privilege, and consequently I appealed. It was just at the noon recess. After dinner when I came in I had my appeal with me, and the clerk began reading the Minutes of the Pittsburgh Presbytery; but how do the Minutes read? The Minutes represent me as taking exception to the decision of the Moderator. I at once arose to try and have those Minutes corrected, that I had not taken exception to the Moderator's decision at all, that I had simply taken exception to the arbitrary manner in which the Moderator had refused to grant me a respectful request. Gentlemen, the Clerk read the paper and it took us half an hour to settle that question, and it wasn't settled until other members of the court, among the conservatives, arose and said, "Mr. Moderator, let us have justice at least here," and took my side in that declaration, that that was what I did say; whereas, the Moderator was trying to insist that my interpretation now was contrary to his understanding, and unless the court decided otherwise the Minutes would stand as they were read.

My dear Brethren, there is the spirit we have been contending against all through this trial, and we have not had an opportunity of fairly representing ourselves to the church. I know that it has been asserted on this floor that this court is largely conservative, and therefore the Presbytery will be sustained. But I believe that even among the conservatives, there are those who fear God and love justice and will deal mercifully with brethren, and consequently I am not so certain that Pittsburgh Presbytery, in all its action, will be sustained by the highest court of the Reformed Presbyterian

Church, for which I have respect.

Passing on to the third point—because members of the Judicial Commission, who voted to sustain the charge, evidently had no thought of my having pursued divisive courses, when at a meeting of the same Judicial Commission, they offered to me, and I accepted in good faith, a basis of settlement. and even formally received the right hand of fellowship in token of their restored confidence in me, which basis

would have been a final and amicable settlement of the trouble had not certain members of the Judicial Commission broken faith with me, pretending as members of the Judicial Commission to be entirely satisfied with the settlement, but as Presbyters introducing Resolutions calculated to continue the misrepresentations of me, by denouncing the East End Meeting and condemning the principles of the East End Platform. Now, this point summed up is this: The manifest insincerity on the part of some of the leaders, proving that my suspension was predetermined and was promoted by malice of self interest rather than the glory of God or the reclaiming one supposed to be taken in a fault.

In addition to the facts that have been already presented by my brother who preceded me, I shall call attention to this, that all the facts known to Presbytery, either before or during the progress of the trial, were before that Judicial Commission. They knew that we attended the meeting at the East End; they knew that we had helped formulate that Platform; they knew that we believed the principles therein stated to be scriptural. They knew all that. And nothwithstanding these facts having been brought before them, there was this basis of the Judicial Commission prepared and offered to us

individually.

Now what does that basis say? It first requires that we disavow the East End Meeting as a bond of union within the Reformed Presbyterian Church, and as anything other than an explanation of individual opinion. It further requires us to enforce the existing laws of the church in regard to political dissent in our ministerial office as long as we are ministers of the Reformed Presbyterian Church. And then the third item of that basis was this, that we agree not to promulgate contrary opinions to the above while holding the office of ministers.

Now if I could read from the report of the chairman of that body I could show you this more clearly,—and, Mr. Moderator, my own conviction is to day, that it was a commission, but as Presbytery seems to accept to day that it is committee, so I may sometimes speak of the Moderator instead of the chairman, because of this firm belief that is in my own mind. But, at this meeting, as the chairman of that committee plainly states in his report to Presbytery, after a full and free conference among the brethren, in regard to all these points, it was accepted.

Now the only point in that basis of the judiciary to which I have ever taken exception and the only one that I take exception to to-day, is in the matter of the third item. What was the conference that we had in regard to that? Why, we inquired in regard to that word "propagate." The members of the Committee were even asked to define the meaning of the word "propagate," so that we could know precisely what

was the understanding that the Committee had of that word: and when it was explained so that we feared it might be understood in Presbytery, and in the world, as declaring that we would never again open our mouths on what we believed to be the truths of God's Word, whether or no, we at once took exception. Our exceptions were discussed back and forth in full and free conference, and it was understood in that Committee that our agreement not to propagate was in any disorderly way.—that we would not in any disorderly way propagate our opinions. The chairman of that Committee in answer to my own personal objections in regard to that, even called my attention to the fact that this Synod had, at its last meeting, appointed a committee, of which Professor D. B. Wilson was the chairman, to prepare a chapter to be added to our Testimony defining the orderly way of propagating opinions; and of course it was explained to us that it was never meant to seal our mouths forever and Amen against declaring what we believe to be the truth of God's Word, but it was simply to keep us from "in any disorderly way" disturbing the peace of the church.

Now on that understanding I accepted that basis,-that I would not propagate my opinion; that I would be silent in regard to what I believed to be the truth until Synod in its wisdom had defined the orderly way of propagating an opinion; and if that had been understood in Presbytery I would have stood on that basis still. But we come to the meeting of Presbytery in which this was brought up. And here the first thing that surprised us was the call for that meeting. I have noted here, and shall pass by, a point made by my brother in regard to that Committee being a commission. However, I will say further, that I talked with a dozen members of Pittsburgh Presbytery before the next meeting, or after the meeting at which that body was called into being, and every one of them, so far as I have been able to understand, thought it was a commission. The elder from my congregation, who was not a member of this court, but who was appointed on that Committee, was inclined not to go to it at all. He felt that there had been a great deal of trouble made, and he felt that it was useless to go; but my good brother, father Crozier, went up to see him and informed him that it was a commission.

Rev. J. F. CROZIER: I never had the slightest idea that it was a commission; I understood it was a committee from first to last.

Rev. E. M. MILLIGAN: I withdraw that statement then for one of the names; I have misunderstood the name. But I claim the privilege before this court adjourns of again referring to this question and giving the name of the member of this court who did go to my elder, Mr. A. B. Copeland, and inform him that a commission was appointed; but for the

present, as I have the wrong name, I withdraw the remark.

Mr. TORRENS: Mr. Moderator, might I be allowed to ask a question.

The MODERATOR: Yes, sir.

Mr. TORRENS: You stated there was no elder at the Convention.

Rev. E. M. MILLIGAN: No, I said no elder of mine signed The opinion of members of the court, so far as I have spoken to any of them, was that it was a commission. That was the opinion that each one of the appellants took to that meeting, and we went there, and, as we supposed, settled the matter after a full and free conference. We learned afterwards that that Committee, after being constituted as a commission, had its attention called to the fact that it was merely a committee; but though the members of that Committee may have so understood it during all the proceedings, yet it was never brought out so that we young men understood it. when, after we had accepted formally their basis of settlement, when they all went around and shook hands with us, I supposed that it was a final settlement of the trouble, and that I was going home to my congregation, and be enabled to proceed with the work that God had given me to do; and I was amazed, with my brethren, when I received a card calling a meeting of Pittsburgh Presbytery to take into consideration the basis of this Judicial Committee. I was amazed, I say, at such a thing as that.

However, we came down to the meeting to see what it meant, and we said, "Now we will listen very carefully to the reading of the Report of the Committee on Discipline, and notice its recommendations as they appear on the Minutes, and see if that does not call it a "commission." We listened; it was all right. As it was there, it was a "Committee" and the result was the call for that meeting was all right; there

was warrant for it according to the Minutes.

The Committee then presented its report to Presbytery. While these reports were being considered, one of the members of that Committee arose; and Brethren, understand that the chairman of the Committee in his report says that, "After a full and frank conference it received the hearty approval of every member of that Committee, as well as the young men." Remember that. But, when we come to Presbytery, one man, who had given his hearty approval to that basis of settlement as being all that was necessary, and all that was just, and all that could rightfully be demanded of us, comes to Presbytery and makes the astonishing announcement that he is not acting now as a member of the Committee but as a Presbyter. So, as a Presbyter he was entirely dissatisfied with the settlement, and as a member of the judiciary it met his hearty approval. This is one of the fine metaphysical distinctions that I do not pretend to analyze. I simply state the fact. As a result of

this resolutions were introduced into that court denouncing the East End Meeting as being held without due regard to the authority of Synod, and condemning the principles of the East End Platform as unscriptural, but representing that since we had agreed not to say anything more about it, all

further proceedings be stayed.

Now, Brethren, I maintain that that was breaking faith with And it was doing more, because explanations that were there made in that meeting of Presbytery represented that I had agreed for the sake of peace forever to seal up my mouth on matters that I believed to be the truth of God's Word, and that I never will be accused of doing. The result of all this was that strife and contention was at once introduced into that meeting because of these resolutions, because of this misrepresentation; and it was at that time, after these resolutions had been entertained by the court, and received, that I arose and said, if we were obliged to be quiet, if we were obliged not to defend our own principles, it was not fair for any one who exacted that pledge of us, until Synod had defined the orderly way, to begin an attack upon our principles, after having pledged us to silence. That was breaking a truce. And if Presbytery proposed to condemn us for being insubordinate, then I demanded my right of defending my action. If any one was going to stand up in a court of Christ's house and condemn my opinions as unscriptural then I was going to exercise the liberty of a man,—the liberty of a Reformed Presbyterian,—to defend my opinion against every comer, let him be Presbyter, or let him be who he might; and hence with the understanding that that Committee put upon it, that my mouth was sealed, that I had agreed not to propagate my opinions at any time, and with this denunciation of my conduct, branding me as insubordinate, branding me as holding heretical views, and that to go out among my brethren, was to continue the misrepresentations which, like a millstone, had been dragging me down, and I could not longer stand under, I arose in Presbytery at that time and said, in view of those resolutions having been introduced which would continue the misrepresentations of me, and in view of the interpetation put upon that third item of the platform, that therefore, here and now, I would give notice that I withdrew my consent from the third item of the Judic.al Committee's basis, and I never said anything else.

But now, passing on, I must touch on my fourth point. There is no evidence that I have been guilty of violating any law or principle of the church, or that I have influenced my church or others against such law or principle. The sole evidence relied upon by the prosecution was the statement made by myself and others at the request of Presbytery, in which we denied any divisive spirit, purpose, organization or act.

There have been from the beginning to the end of this

trouble two questions confounded, and it is because of the confounding of these two questions that many of my fathers and brethren of the Pittsburgh Presbytery have been led to sustain the charges against me of being a heinous and scandalous sinner. I am going to point out what they are. The one question is a question of opinion, a question involving principle. It is: Is a certain opinion right or wrong? That is one question. The attempt has been made, since this court has been convened, to introduce some questions before this court, and to get this court to debate certain questions of principle, to see which way the majority lean. Brethren, suppose you took up these resolutions that have been introduced; suppose this question of principle was discussed, and the majority decided one way, would the minority be heinous and scandalous sinners? Would they be following divisive courses because they voted in the minority? Now the question was persistently brought forward in Pittsburgh Presbytery, (and it was the question on which the prosecutors made their stand, from beginning to end), whether the opinions of our church, or practices of our church, were right or wrong? That is a question of principle, and I maintain that whether the court decided they were right or wrong, was not germane to the question or whether I was guilty of the sin and scandal of following a divisive course. The two things are not to be confounded; they are entirely separate and distinct, as wide apart as light and darkness. Yet, this is the question that was brought forward, and this is the question decided by Pittsburgh Presbytery, that our principles were right: but, deciding our principles were proper, then they sustained the libel that I have followed divisive courses, without bringing any evidence of any kind or description to show that I had done anything, by speech or by act, against the principles which they decided to be right.

Now I maintain that a member of this court (or any member of this court) may have the opinion that there is no special harm in interchange of pulpits. That may be his opinion. But we bring this question before this court to decide and this court decides that interchange of pulpits is right. Is he following a divisive course? But let him, in spite of the decision of the court, go and interchange pulpits: then he is following a divisive course. Do you not see, Brethren, that it depends altogether on what you do with your opinions, rather than what your opinion may be?

Now, I submit, that aside from the question whether the principles of the East End Platform be right or wrong, that it has nothing to do with the question of whether I have followed a divisive course. Every one of the principles of the East End Platform—every one of them may be out of harmony with our standards; every one of them may be proved to be unscriptural, and the time may come when my brethren may be

able to convince me of the same; but, in the meantime, I hold the opposite opinion, and I maintain that I can consistently hold that opinion and not be divisive. If I were to begin and carry out the principles of that Platform in my congregation; or if I were to begin and preach these principles in my pulpit to make trouble in my congregation, then there is an act. Then I am handling those opinions. In that case I would be divisive, But, I never attempted to violate the law of the church. I have carried it out consistently since I have taken my ordination vows, and have never in any way, or in any place, cast reproach upon the principles or practices of the Reformed Presbyterian Church. Yet, all that the members of Pittsburgh Presbytery did was to decide that my opinion was wrong, and they sustained the libel against me, as guilty of the heinous and scandalous sin of following divisive courses. That is what the libel pretends to do; it states, "Here is an opinion put in a platform (and then quotes the second item of the East End Platform) which is contrary to our subordinate standards." Suppose it is contrary; does that prove the charge that I have followed a divisive course? And I wish to say right here, that at the trial when the five were tried the matter of the organization was hardly referred to at all, hardly touched upon. After the meeting I got a letter from one of the members who had voted to sustain the libel, calling my attention to the fact. He said that he could hardly believe that Pittsburgh Presbytery would suspend a man for holding a contrary opinion to a majority, and he thought the great matter had been the matter of an organization, and that that had not been touched upon at the time, and he hoped when Synod met we would try to bring that matter out, in order to see whether such an organization as the East End Meeting had been declared to be could be permitted in the church. That question was not touched upon in my trial at all. The question was, whether my opinion was right or wrong, and on that the question was submitted to the court. And all these elders voted that the past position of the church was right, that it was the opinion of the church that it was right, and because I diverted from that in an opinion, they felt that the libel charging me with heinous and scandalous sin must be sustained; consequently I have been found guilty and the sentence has been carried out. But, now, that is all I will say on that, and I pass to my fifth point.

(The Moderator announced that the hour for recess had arrived, whereupon the court took a recess until two o'clock.)

AFTERNOON SESSION.

June 3rd, 1891.

The MODERATOR: At the hour of adjournment Rev. E.
M. Milligan was addressing the Court in support of his com-

plaint of, and appeal from the action of Pittsburgh Presbytery. Mr. Milligan will please continue his address.

Rev. E. M. MILLIGAN: Fathers and Brethren, at the time of adjourning this morning I was just closing what I have to say on the fourth point of my appeal. I called attention to the fact that there was no evidence produced at the trial to prove me guilty of the heinous sin and scandal of pursuing a divisive course. I had showed that the main argument of the prosecution was in regard to a matter of opinion, whether certain opinions were right or wrong, whether my opinion agreed with the majority, and that the fact of showing the opinions put forth in the East End Platform were contrary to. and were opposed by, the opinion of the majority of the members of this church, had been accepted as proof positive of the fact that the libel was sustained. Now, if such evidence could have been produced, in all probability the place to secure it would have been in my own congregation, where for nearly two years I had labored as pastor. If I were guilty of the crime laid at my door, certainly the place to gather up evidence of that crime would be where my work has been done.

During the trial we called the attention of Presbytery to the fact that there was no trouble whatever in our congregations. As has already been brought to your notice, the memorials that were presented to this Presbytery were not from the congregations of the ministers who have been suspended. Not in a single instance was there a charge against any of the young men of having in anywise violated the law or the practice of the church, or of preaching sentiments contrary to the Declaration and Testimony of the Reformed Presbyterian church. The only apparent exception to that statement is the matter of the New Alexandria congregation, and there, as has been stated, the objection was simply as to the position that their pastor had taken on the floor of Synod in regard to the union question.

In my congregation there was perfect peace and harmony. We were working together, not only as standing in the same relation to each other in the church of Christ, but socially there was no trouble. I had not an enemy in the congregation to my knowledge; and I may say that even to-day, though the congregation is sadly divided and in a deplorable condition, I feel that I can safely say, that I have not an enemy in Parnassus. I have not a member of my congregation who would raise a finger against me, or will stand in this court, or before this court, and say that in any way I have done anything that has brought reproach upon the Covenanter church, or upon her principles.

But so far from causing any trouble in my church, I have sought by maintaining silence during all these months, while others, not only in this Presbytery but at least in one instance from another Presbytery, have been writing into my congregation, to various families, letters calculated to prejudice them against me and to stir up strife, and have succeeded; yet in all I have maintained a silence; I have not, either socially or in the pulpit, where I have exhorted on God's day, referred to this trouble. And whatever strife and division in Parnassus congregation there has been; whatever has been the cause of this strife and division. I can say here now, that I wash my hands of it all. If my congregation is divided, as it is to-day, let the responsibility lie at the door of those who have in underhand ways come into my field and divided my friends against me, and in thus dividing friends and brothers have caused what I fear is the destruction of that congregation.

Furthermore, so far as evidence was concerned, all that this Presbytery knew of any divisive course (positively, I mean) was what they learned from the men they suspended. That is, all the evidence that was before the court or that they sought to gather; all they know to-day in regard to it, they learned from ourselves. And while they accepted our word as true in regard to our having attended the East End Meeting and helped in formulating the Platform, why do they not, if they could believe us in that matter, believe us when we tell them the purpose of that East End Meeting: when we denied any divisive intention, when we told them what our purpose was, merely to correct misrepresentations, rather than as had been charged upon us, to divide the church, to lead the church into defection from her sworn allegiance to Christ?

Fathers and Brethren, if our word was to be accepted as true when we admitted having attended this Meeting, on what ground could they set our testimony to one side when we denied the intentions that were fastened upon us, and the charges that were so freely scattered over the church? These charges that have been made have in no instance been substantiated. They are the mere assertions of men who speak without guarding well their expressions and without looking

for the proof of the truth of that which they assert.

I now pass to the fifth point in my appeal, which is as follows: Because the specification of the libel does not sustain the charge of "pursuing divisive courses." To be divisive the course must be against the solemnly recognized and adopted doctrine and order of the Reformed Presbyterian Church. The Covenant of 1871, Sec. 2. declares this doctrine and order to be contained in "the Bible. the Confession and Catechisms, the Testimony, the Westminster form of government and directory for worship." To all these I cheerfully assent, and the second article of the East End Platform quoted in the specification as divisive, formally recognizes the propriety of binding members to these. The article only disclaims "the binding to our explanation," and this only as a

term of communion, and not at all in the way of instruction and testimony bearing. The Platform rejects only private and personal views of pastors, which are often widely varied, in explaining the terms; and the decisions of Synod which have never been solemnly adopted as constitutional law, which are often contradictory, and from which many dissent as contrary to the standards. This is shown in such acts of Synod, as Synod's decision on the War queslion, the Jury question and voting on Amendments. Such acts of Synod are at best honest attempts to solve difficult questions of doctrine and order, and to make them binding as terms of communion would be building on shifting sands.

For the first time in our history has any one been tried and suspended for saying that such decisions are not binding as an article of faith, and to make them so is directly contrary to our solemnly recognized and adopted doctrine and order. (Confession of Faith, chap. 31, sec. 4; First term of communion; Declaration and Testimony, chap. 3, sec. 4, error 6; chap. 20, sec. 2, error 4 and 5; Covenant of 1871, sec. 4; and

1st Corinthians, 2:5.)

I give these references, and for the sake of brevity. I will do no more than to refer to them. If brethren will only take the trouble to refer to the reference to God's Word, the reference to our Testimony or to the Confession of Faith, they will find that, in every one of these instances I have recited, the Testimony of our church stands fair and square against any Pope, or any Council, or any Synod of the house of God, making their mere decisions binding upon the church. That is the pith of all the references that have been quoted along the line of God's Word, first Corinthians. 2nd chapter, fifth verse, which is, "That your faith should not stand in the wisdom of men but in the power of God;" and on that scriptural foundation is built the Testimony and Terms of Communion of the

Reformed Presbyterian Church.

Now I maintain by this fifth point that the libel presented to me, preferred by Pittsburgh Presbytery, is not relevant to censure, and for various reasons. There is not one charge, nor all the charges together, that could be considered censurable. I do not need to wait to read the libel through, but I can call attention to the different counts in that libel, which will serve the same purpose. The libel first calls attention to the fact that following divisive courses is a heinous and scandalous sin, contrary to God's Word and to the profession of the Reformed Presbyterian Church founded thereon. Then it goes on to specify certain acts: 1. That I attended a meeting at the East End; 2. That I formulated a platform of principles, some of which were at variance with the Testimony of the Reformed Presbyterian Church; 3. That that platform of principles was circulated; 4. That I asserted my adherence to the platform and principles at a meeting of Pittsburgh Presbytery, held on October 4th, 1890. These are the four charges that are laid down in that libel to sustain the charge of my being guilty of the heinous and scandalous sin

of pursuing a divisive course.

Now, Brethren, I submit to you, which one of those charges constituted that crime? Is it attending a meeting at the East End? Is it adopting a platform of principles, in which an opinion may be expressed contrary to some of the doctrines of the Reformed Presbyterian Church? Is it sending that platform of principles out with the statement that it is to correct the misrepresentation that is being made of our position? Is it, when asked by a court of Christ's house to say whether or not we did thus and so, to stand up and in obedience to that court answer the question? These are the counts. Which one of the three, or take it all together, constitutes a crime, no less heinous and scandalous than following divisive courses? Yet. there is not another count specified in that libel, not another

I do not care. Brethren, whether you take one or two of those charges: if that makes the libel relevant to censure, I maintain that there is not a member of this honorable body that could not, on precisely the same grounds, be proved guilty of precisely the same crime. It might be that the case would be different. Instead of attending a meeting at East End the meeting might have been in some church in Allegheny? Or instead of our opinions expressed in the East End Platform it might be other opinions that are just as much at variance with the doctrine and order of the Reformed Presbyterian Church; but, in any case, I maintain that all this constitutes nothing more than a difference of opinion, and does not establish the crime of following a divisive course. But, the charges specified in the libel do not establish the crime of following a divisive course because they are not contrary to the established order. The point that the libel specially picks out is the second plank of the East End Platform. I like very much what the brother who preceded me said in regard to reading a thing over two or three times in order to understand exactly what it means; and if some of the brethren have only read that second plank over once carelessly. or if they never read it over at all, but have simply taken it for granted that it is a very wrong plank. I wish, before they come to give their decision, they would secure that second plank and read it over very carefully. The first plank of that platform declared our belief in the most advanced testimony in behalf of truth, but that the terms of communion should be limited to faith in Christ and obedience to his revealed will. Now, as has very well been said, faith in Christ and obedience to his revealed will are very general expressions. You might make almost anything out of those two expressions. We recognized that at the East End Meeting,

and hence, to avoid any possible mistake, to prevent the possibility of being charged with views and opinions which we never held, we added the second plank of that platform. which explains the understanding that those who attended the East End Meeting have of "credible evidence of faith in Christ and obedience to his revealed will." What is this explanation? It is, that those who accept the Testimonv and Terms of Communion of the Reformed Presbyterian Church should be admitted to the Church as members "without binding them to our explanation in the matter of political dissent or in other questions." Where, then, is there anything in that plank that is contrary to the established order of the Reformed Presbyterian Church? I know the phrase "or in other questions" has been caught up and made a great deal of, and suggestions have been thrown out that we would admit to church membership the vilest kind of men, simply on their statement that they believed in Christ and professed obedience to his revealed will. Ay, Brethren, back behind that second plank is the point, "on their acceptance of the Reformed Presbyterian Testimony and Terms of Communion;" and I maintain that any man who will accept the scriptural doctrines and order that are plainly stated in the Reformed Presbyterian Testimony and her Terms of Communion is not a man who could belong to the Mafia of New Orleans, is not a man who could open a grog shop, is not a man who could be blasphemous. If this be not true, then I say, the sooner the Reformed Presbyterian Testimony be sunk to the bottom of the sea the better it will be for the good name of our church. We maintain that the Reformed Presbyterian Testimony and the Covenant we have sworn present the scriptural position of the Church. We maintain, and it is the brag and the glory of Reformed Presbyterians, that that Testimony is the most advanced Testimony that can be made for Jesus Christ.

Now I ask if when we come forward and say we are ready to admit people to the church who are ready to accept our Testimony and our Terms of Communion, if that opens wide the door for the blasphemer, for the drunkard, and for the vile debauchee? We bind them then to accept our Testimony and Terms of Communion as founded upon the Scriptures, "without binding them to our explanation in the matter of political dissent." What is our explanation in the matter of political dissent? Well, I could select two or three men in this court and ask them to give their explanation of the matter of political dissent, and what would it be? Is there any unity to day in the church on this question? Is there any agreement, any harmony, as to what our explanation of the matter of political dissent is? I am a member in good and regular standing in one congregation, and I might, in God's providence, move into another field and seek union in another

congregation. Have I merely to accept our Testimony and Terms of Communion without being bound to the explanation of that session in the matter of political dissent? If accepting the Testimony and Terms of Communion is not enough to admit me to membership I might be a member in good and regular standing in one particular denomination and be denied admission into another part of the same church, simply because I cannot at the same time accept two explanations of political dissent that are as far apart as heaven and earth.

And now, what are the other questions? There is not a year, there is not a meeting of this Synod that questions of one kind and another do not come up for settlement. right at this point, I maintain that there is and must be recognized by every man of judgment, a wide difference between the truth of God's Word, between the principles that have been engrafted on the Book of books and given to his church for their guidance and direction, and the opinions which God's people may have in regard to certain parts of that Word. And questions of this kind are coming every year in this Synod for settlement. I maintain they are simply human opinions. Where there is the principle stated in God's Word, no one disbelieves it, no one discredits it. For instance. the church may declare, and does declare, that in the beginning God created the heaven and the earth. The book of Genesis teaches us that in six days this world was made, and God rested on the seventh day. There is divine truth. But, now, the question at once comes up in regard to those days, in regard to the understanding of the Hebrew word that stands for day. Is it a day of twenty-four hours? Is it a period? Can you decide that from God's Word? Can you turn to God's Word and say from the book of inspiration that those were six days of twenty-four hours each? Or, can you maintain from God's Word that they are six periods of indefinite length of time? How far have you got to go? You have got to go into the philosophy of that word. You have got to go to the scientists of our age to determine this question. Consequently, I maintain that since the proof as to whether the day there is a day of twenty-four hours, or a day that will include an indefinite period of time, is to be determined only on human proof, human argument and so on; therefore I should not be bound to accept it, even though the majority of this Synod would decide unhesitatingly that the day mentioned in Genesis was a day of indefinite period. If there were any in this place who maintained that it was six days of twenty-four hours each (and I know there are such in the church and more than one), and a godly old father should insist that these days were days as he understood them, of twenty-four hours, I would not bind that man to Synod's explanation. would not say to that man you must believe my explanation or Synod's explanation, that the day mentioned in the Bibl

is a period and not a day limited to twenty-four hours. But, if anybody should declare that God did not create the heavens and the earth in six days, then I would say that that man was denying the truth of God's Word, divine truth, and as such

had no right or place in the church of God.

Now there are a great many things, a great many matters, of precisely that same character. I might illustrate in a great many different ways, bringing up matters that are familiar to every one in this church: matters that are history in the Reformed Presbyterian Church, and I think with very little effort I could draw a very clear line of distinction between God's truth and the mere opinions of men however honest they might be. Hence when we say in that Platform that we are in favor of binding applicants to the Testimony and Terms of Communion of the Reformed Presbyterian Church without binding them to our explanation in the matter of political dissent or in other questions, we recognize to-day that our explanation of the matter of political dissent is a mere human opinion; and hence there are in this court, represented here to-day, godly old fathers in the ministry, who are on both sides of this question, and it must be true that there is a difference of opinion that is justifiable in the church. And I maintain that if the majority on one side should seek to bind the minority to their explanation in the matter of political dissent, it would divide the church. And why? Simply because the explanation is a human opinion. Simply because they cannot go to God's Word to demonstrate their philosophy, either on the one side or on the other. It cannot If they could go to God's Word there is not a Covenanter in this body that would not bow to the infaliible Word of God. But, when an opinion rests on philosophy, rests on illustration and deductions drawn from the brain of man, however clear and convincing they may be to that man, they are to be used, as the preface to our Testimony declares, in testimony bearing; they are to be used in instructing others in the matter of the truth and leading them to our position; but since they are founded upon human arguments and human history, they are not to be made binding upon the conscience of the dissenter. Now that is all we mean by that second plank in the East End Platform. Of course if we mean what others say we mean, if we mean what others have explained that we mean, then I say that we are certainly guilty of all the odium that has been heaped upon us during these months of trial and of bitter experience. But I maintain that until our words have been proved unreliable, until we have been shown to be men of such immoral character that our words and acts have no weight in the community or in a court of Christ's house, when we put forth a document and say we understand by that document thus and so, that ought to be accepted as what we understand and mean rather than the explanation that others may put on it and brand upon us, which we repudiate as utterly false and without foundation.

Now I pass on to my sixth point, which is: Because the reference to the Book of Discipline, with which the libel avers that our Platf rm is at variance, does not require that candidates for membership shall accept either the explanation of ministers or Synod, but it specifically makes the approval of the Declaration and Testimony, of the Terms of Communion and documents to which they refer, and of the Bible plan of salvation, to be the test of admission. The reference given in the libel is, B ok of Discipline, pages 63 and 64, also the Testimony quoted, chapter 22, names only "the explicit Terms of Communion to which every member gives his assent;" and it expressly excludes from such Terms every thing but what "is divine truth," and allows for differences of opinion on all questions not divinely determined. The other chapters named, "twenty-ninth, thirtieth and thirty-third," contain only such divine truth, all of which your appellant accepts, and nothing in any of these chapters hints at the binding force of any mere human opinion or explanation.

You will mark that we are charged with 'a heinous sin and scandal, contrary to the Word of God and to the profession of the Reformed Presbyterian Testimony founded thereon." Hence, a heinous and scandalous sin, or the following of a divisive course, must be against the Word of God and the Reformed Presbyterian Testimony founded thereon. Now, if I had been brought to trial for lying, they would not only have had the general heading of a libel, as I have read,—"Whereas lying is a heinous and scandalous sin contrary &c.; yet true it is, you have been found guilty thereof, in that you have done thus and so, contrary to such a chapter in our Testimony and such a place in God's Word." There would have to be reference made to the breach in the body of the

libel.

These brethren who preferred the libel against me, named the second article in that Platform, to which I have already alluded, as being contrary to God's Word and the Testimony of the Reformed Presbyterian Church founded thereon. Just let us take it up verse by verse and find out what it is that is contrary to God's Word and to the profession of the Reformed Presbyterian Church founded thereon. Is it the first statement, that we are in favor of admitting persons to the church on their acceptance of our Testimony and Terms of Communion? Is that contrary to the Testimony of the Reformed Presbyterian Church? As you all know it is not. Then, the difficulty must be in the next statement,—"without binding them to our explanation." Now I would like some one to quote God's Word to me that shows that the explanations of men, that the explanations of Synods, or Councils since the apostles' time, which may err, and of which many have erred, should be made a term of communion, should be made binding upon the conscience. If they cannot show me God's Word, then, I submit, they ought to move an overture that the chapter in the Confession of Faith which asserts the contrary ought to be changed. It is merely a question of explanation that they declare is at variance with the Bible and the Testimony of the Reformed Presbyterian Church.

But, I see around me here too many fathers and brethren, whom I love and whom I know, that have more than once dissented from and refused to accept the explanation of Synod in regard to certain matters, and that to-day would not be bound by Synod's explanation in certain matters. know that if they thought in doing so they were going contrary to God's Word and the Testimony of the Reformed Presbyterian Church, they would very quickly submit. are the sons of men whom God used as instruments to bring about the reformation to come out of the Church that would bind her children and keep them in darkness and ignorance and stifle the minds that God had given them that would enable them to think for themselves. And these men do think for themselves; and with due submission to the courts of God's house that are over them in the Lord, they are willing to be helped by those as brethren, but they are not willing that any court should, as a court, dictate to them what they shall accept and what they shall refuse. But, as they expect to answer at the bar of Divine Justice, not for what Synod may have believed, but for what they have believed, so as true Reformed Presbyterians they dissent whenever the majority of Synod declares a certain thing to be a duty which they do not believe to be a duty.

Now, I might take up the reference that is made to the Book of Discipline, pages 63 and 64, and ask any member of this court to find where in the Book of Discipline, in the references that are made in our libel, you will find the requirement to bind members to our explanation. If you can't find it, then I maintain that it is not contrary to that book; if the book is silent on that question it cannot be contrary to that book to That book simply binds members precisely to what that second plank of the Platform binds them, -everything in the Testimony and in the Terms of Communion, the whole gospel plan of salvation as it is revealed in our Testimony and Terms of Communion. I do not know of one word in that book that would bind man, woman or child to an explanation either of a pastor or of Synod. But then they go on and they specify certain chapters in the Reformed Presbyterian Testimony, chapters 29, 30 and 33. Does not that second plank in the Platform bind them to the Reformed Presbyterian Testimony and Terms of Communion? Have we in that Platform made an exception of the 29th, 30th and 33rd chapters of the Reformed Presbyterian Testimony. If that plank read that

we believed in admitting members on their acceptance of our Testimony excepting the 29th, 30th and 33rd chapters, and the Terms of Communion, then the plank would be contrary to the established order of the Reformed Presbyterian Church, Then, in omitting the important truths that are set forth in those three chapters we would be departing from a part of the Testimony. But we did not purpose to do it. There is not one of the principles contained in any of those chapters that is not dear to the heart of every man who to-day stands before you pleading his appeal from the decision of Pittsburgh Presbytery. There is not a single thing in the Testimony of the Reformed Presbyterian Church or in the Terms of Communion or in her Covenant, that I wish to take exception to,-not a single thing; and I do not wish to admit any one into the Reformed Presbyterian Church on any lower plane than their acceptance of every truth stated in our Testimony and Terms of Communion. Now if they can turn to chapter 29, 30 or 33, and show me the requirements that bind to their explanation, then I maintain again, the case is theirs. I maintain again, that in showing that they show that we have departed from the teachings of our Testimony, that we have broken our ordination vows in doing so; but you cannot find it in any of those chapters. It may be for this Synod to place it there-That is another thing; that is another question altogether-We are not talking about what this Synod may do. We are not speaking of what this Synod ought to do; the question is, what has the Synod done? And I maintain that to this day Synod has never placed in her Testimony or Terms of Communion a human explanation and required that as a term of communion in the Reformed Presbyterian Church.

I would like to take up this chapter separately and analyze it, but for the sake of time I will pass that by and read my seventh reason for appeal and complaint. Because the trial was such as to discredit Covenanter Presbyterianism. Settlements were proposed which required the acceptance of gag law and the renouncing of liberty of conscience and free discussion of human opinion. The trial was further rendered a burlesque, and the possibility of procuring a verdict in accordance with the law and evidence was made impossible by certain prominent members of the Court, during our defence, absenting themselves from the Court for an hour or more; by others contemptuously reading their newspapers; by others sleeping; by others publicly and privately declaring their intentions to suspend us before the trial began, and especially the fact that some based their reason for sustaining the charge on evidence that had not been before the Court, shows conclusively that our condemnation was determined beforehand.

And now, Fathers and Brethren, this to me is the saddest point in my complaint and appeal, and I would to God I could leave it out and not bring it before this Court. Never-

theless, it is a fact that those who are over us in the Lord, and who assembled, and in the name of the Lord Jesus Christ, and by his authority constituted themselves into a court of Christ's house to adjudicate a case in which the character of believing ministers of the gospel was involved, had so little regard for their responsibility to Christ, that these things that I specify were positively true during the meeting of Pittsburgh Pres-

bytery.

I confess there may have been cause for the brethren to be tired, and perhaps it is true that some of the young men were to blame by the length of their arguments. But, dear Fathers and Brethren, think a moment! Here were our characters involved! If it had been merely a question as to whether our opinions were right or wrong, that might have been settled. If it were simply whether we had a view that coincided more with the opinions of another church than it did with the opinions of our own beloved church, that is another question, and we might have discussed that at less length and been more open to the statements that were made that we were

trying to convince them of an error of judgment.

But, my dear Fathers, this was not the case at all. We were there defending ourselves against a heinous and scandalcus sin. We were there defending ourselves against the widely circulated charges that we were covenant breakers; that we were seeking to lead our church into defection, and that we were seeking to bring dishonor upon our God and upon our Here were the charges that were brought before us. Hence, I submit, that even though some of us may have wearied the court with our much speaking,-yet I submit that there was good cause. When a man is standing for his character, which is dearer to him than life, is there any wonder that he may plead long and earnestly with those who are to vote on and decide his case. Therefore, though the long speeches that were made by some of the defendants wearied the brethren and the court, they should have taken into consideration the importance of the case. They should have considered what we had at stake, and had enough interest in us to hear what we had to say. And yet, notwithstanding all the weight of the matters that were to be decided by that court, several individuals sitting around me nudged me, and pointed to one and to another,—"Is it possible that that person is asleep?" Well, I was not the person, but I can say that they had every indication of being asleep, and I could prove it by half a dozen witnesses, and will if necessary; and I will mention names if necessary, though I far prefer not to; and I will bring witnesses forward to testify that members of Pittsburgh Presbytery during the argument of certain individuals had their eyes closed, their heads bobbing from one side to another, and then fall back, and straighten up quick. And this during trial!

And then I will maintain, also, that while the argument of a certain person was going on, other members of Pittsburgh Presbytery sat reading their newspapers. The sofa was in the pulpit and a prominent member of Pittsburgh Presbytery went up and stretched out on the sofa and lay reading his newspaper while the argument was being presented to the court. Then other members of the court got up, went down the aişle, and were out for some time, and then would come back and take their places right in the midst of the argument for defence, when our characters were at stake! And they came back and voted to sustain the libels as relevant.

I maintain, Fathers and Brethren, when such things as these were going on in Pittsburgh Presbytery, is it any wonder that a sentence has been pronounced that has shocked the Christian world, and that to-day holds the Reformed Presbyterian Church up to the contempt of Christian brethren. What I maintain is, if they had really felt the responsibility that was resting upon them. if they had been wakeful, if they had been watching, if they had been weighing carefully the case as it progressed before them, they might have felt it necessary to condemn our opinions as being contrary to the doctrines of the church, yet, when it came to sustaining a libel against us charging us with the heinous and scandalous sin of pursuing a divisive course, the Presbytery would have voted that down. But no! The Presbytery sustained the libel, and the result is we are here to-day pleading with you. Fathers and Brethren, for that justice which we did not re-· ceive at the hands of Presbytery. I also refer, in this connection, to the fact that there were many, in giving their decision, rested it on evidence that was not before the court. I could name a good old father who is in this Court to-day, and I love him, and he is loved as far as he is known in the Pittsburgh Presbytery, and has a wide circle of friends outside. The members of Presbytery were allowed two minutes each in which to explain their votes, and when he was called upon for his vote he began to explain that when he was up in the country somebody had sent him a paper from which he learned that some ministers of the Reformed Presbyterian Church had organized a secret society in the church, and of course he would sustain the libel. Of course he would sustain the libel, because these ministers had formed a secret society in the Reformed Presbyterian Church.

Now, Brethren, the question whether we had formed a secret society had never been mentioned in that trial. and I think that those who know the young men who are suspended know that they are not members of any secret society. I think if any one will go to Parnassus congregation, where I have preached for nearly two years past, they will learn that on more than one occasion I have lifted up my voice

against these abominations of the earth, and I do not think, as a Reformed Covenanter minister I would stoop to entering a society of that kind. But this good old father was in earnest, and he was just as sincere and honest as could be when he rendered his decision. But, nevertheless, the decision to sustain the libel was on a matter that had never been before the court; but he felt we were terrible sinners if we would organize a secret society in this church, and of course he would sustain the libel. So, I might refer to other circumstances that were brought out in these two minute speeches. Some of them were intensely interesting, though they had nothing to do with the libel on which we were being tried.

Now I will take up the last point in my complaint and appeal, viz., the point in regard to the sentence inflicted upon us: Because the sentence of suspension was illegally inflicted and unduly severe. Our own Book is silent, but the United Presbyterian Book, article 111, section 2, and the Presbyterian Book, chapter 7, section 3, paragraph 15, expressly says: "The necessary operation of an appeal is to suspend all further proceedings on the ground of the sentence appealed from." My appeal was taken from the sentence of the court that the libel was proved, yet, "on the ground of that sentence" so appealed from, Presbytery proceeded to suspend me. Besides, this suspension was inflicted, not for any immorality or sin alleged against me, nor for the denial of any doctrine or practice of the standards, nor for any violation of the law or practice of the church in the matter of political dissent, but simply for the utterance of the East End Platform and the private opinion expressed in it, which I had agreed both before and in the trial not to maintain in any disorderly way. Now this point briefly summed up is: that the suspension was illegal and severe beyond precedent. Just to illustrate this case, I say that our own Book is silent on the matter. Some think that the Book of Discipline in treating of cases of this kind does touch on cases of this very matter when it says, that when an appeal is taken from an inferior to a superior court the case is removed at that point from the court. But these other Books I have referred to are very specific on the subject. and positively assert that the necessary operation of an appeal is to suspend all further proceedings on the ground of the sentence appealed from.

Now just as a mere matter of common sense, let us look at this case for the present. Supposing a man were on trial for murder. The court finds him guilty. He at once takes an appeal to a superior court. Notwithstanding his appeal taken to the superior court, the judge proceeds to pronounce sentence, declares the finding of that court is that the man is guilty of murder, and the court says that he shall be hanged on such a day by the neck till dead. The man is duly hung. Two weeks afterwards his case comes up on appeal in the su-

preme court, and the decision of the lower court is reversed; but the man has not very much interest in that decision.

In the very nature of the case an appeal from an inferior to a superior must in justice suspend the sentence being inflicted upon him. The question has been referred to in the case of a civil suit, where a person convicted in an inferior court and appealed to a higher court is either imprisoned or must give bail. That is true. But let us not confound things which differ. He is not imprisoned or required to give bail as a matter of penalty, as a matter of punishment, because he has been found guilty, but he is either imprisoned or has to give bail so as to insure that he will meet his appeal in the superior court. That is all there is in that. There is no penalty inflicted upon a man by the inferior court when he appeals to the higher court. I maintain that when I took my appeal from the decision of Pittsburgh Presbytery, sustaining the libel as relevant, at that very point Pittsburgh Presbytery was suspended from further action. That very point, in the name of justice, and in the name of common sense, Pittsburgh Presbytery dared not go beyond without trespassing on rights,-God-given rights; and therefore when they suspended us in the name of the Lord Jesus Christ after we had appealed to this court, they acted illegally; they acted without warrant.

But, then, I also say that it is unduly severe. Now, Fathers and Brethren, think for a moment. Supposing this court decides that the East End Meeting was a mistake; supposing this court decides that the opinions expressed in the East End Platform are every one of them wrong. Ay, let us put it stronger than that: Supposing irrespective of what this court may decide, that the Fast End Meeting be wrong, and the principles stated in the East End Platform contrary to Scripture. Yet, it was a mistake of judgment. The pastoral letter declares that we were not guilty of immorality. We had not done anything of a scandalous nature. We had not drawn reproach upon the church of Christ, nor put a stumbling block in the way of our brethren. In a case of that kind would not some lighter sentence have been all that justice could demand. especially, when we at different times had declared that in no disorderly way would we maintain our opinion? Why, before the trial began, we came forward to Pittsburgh Presbytery and submitted to them a paper signed by every one of us in which we agreed that we would not "propagate our opinions in any disorderly manner." We were ready to meet them every time, and do just what was right; but they said, "you must express repentance for that Meeting." Well, we went this far; we said that we regretted, that we were sorry for holding the East End Meeting; but we were not sorry in the sense that Pittsburgh Presbytery demanded we should be sorry. More than once, ay, every man that stood before Pittsburgh Presbytery, said they were sorry they held the East End

Meeting, and that they were sorry the East End Platform had been put forth. But on what ground were they sorry? Because of the interpretations that had been put upon that Platform. Because of the interpretations that were pinned to that Meeting, and that were being scattered over the Church, and was causing trouble in the Church. But, we all maintained we were not, and we did not feel, sorry for that Meeting in the sense that we felt the Meeting was absolutely wrong. We could not feel sorry for putting forth a platform of principles, which, in our hearts, we honestly believed to be the truth. We could not express sorrow in that sense, and that was the only sense in which Pittsburgh Presbytery would have us ex-

press sorrow.

But it was asserted again and again that so far as having held that Meeting we were sorry for it, and that perhaps it was a mistake, and one that had led to trouble. But we maintained that the trouble that grew out of it was from no fault of ours, but because of the interpretations and the false statements that were being made in regard to it by brethren who asserted at least a great love for the young men. Then, besides, not only, at the very worst, was our crime a mistake of judgment, but here came our congregations. My congregation came up asking Pittsburgh Presbytery to allow me to preach to them until Synod, telling them I had not been preaching doctrines contrary to the principles of the Reformed Presbyterian Church; telling them that this course of proceeding was dividing the congregation and would lead to its destruction. And they came forward praying them to allow me to preach to them in the name of the Master until Synod should meet. One member of the court arose and was very anxious that we should be allowed to preach until Synod; another member from New Galilee, a member of the session I think from New Galilee, offered a resolution that in view of these petitions we be allowed to go back to our congregations and preach, on condition that we would preach political dissent, I don't know whether he meant from that time until Synod, but at least that was the resolution which was offered. But the Moderator asked the Clerk to take the chair so that he could address the court; and he maintained that to grant such a request would be to stultify the case, and hence after a ringing speech opposing such a motion as that, the case was lost. Pittsburgh Presbytery refused to grant the request not of the young men merely, but of loyal congregations in the Church that came to them pleading on behalf of their pastors, that they might be allowed to preach to them and speak to them in the name of the Master from that time until Synod, but Pittsburgh Presbytery said, No.

Now, Fathers and Brethren, in view of all these things we have appealed to this higher court. We have appealed not only from the decision of that Presbytery in finding us guilty,

but we complain of the injustice and wrong that was done usin all the trial. We also appeal because the suspending us after our appeal had been taken, from the decision that the libel was sustained, was in our judgment illegal and unduly And now I come to you, Fathers and Brethren, and ask that you will give my case due consideration; that you will try me in the light of the law and the evidence; that you will draw a distinction between things that differ, and though you may feel in your wisdom the necessity of expressing a contrary belief to my opinions; though you may feel it your duty as a Synod to say that the East End Meeting was a mistake, and that the opinions of that Platform are all wrong, I ask you, dear Fathers and Brethren, to draw a clear line of distinction between the fact that men may hold different opinions, and the fact that a man is guilty of the heinous and scandalous sin of pursuing a divisive course. I thank you for your kind attention.

The MODERATOR: In the course of these proceedings the next speaker in order is the Rev. W. L. C. Samson who will now address the court in the prosecution of his appeal

and complaint.

Rev. W. L. C. SAMSON: Dear Fathers and Brethren: Two years ago on the 28th day of May, I was ordained to the ministry of the gospel. Had I then known that inside of two years I was to stand before the highest court of the Reformed Presbyterian Church to plead that a sentence of suspension which had been pronounced upon me by the Presbytery, by which I had been ordained, be reversed, I am sure that at that time I would have turned my back upon the ministry and on the congregation whose call I had accepted. We do not know what the future contains for us; but we have the promise that as the day is so the strength shall be, and in the months that have passed by since I was ordained to the ministry, Providence has led me in wondrous ways. By the Pittsburgh Presbytery I have been adjudged guilty of following divisive courses on specifications that "persons who make a credible profession of Christ should be received into church membership upon their acceptance of our Testimony and Terms of Communion, without binding them to our explanation in the matter of political dissent or in other questions." A divisive course is a course leading away from the path of truth. course leading back to that path is not divisive, else Christ and the reformers were heinous and scandalous sinners. The specification does not lead away from truth, but is in accordtherewith.

Our reasons of protest and appeal from Presbytery's action

are four in number, and are:

FIRST. No Scripture was cited to prove that the things charged as sinful and scandalous were contrary to God's Word, the only rule of faith and manners. The Bible we all

acknowledge as the only rule of faith, and the Committee framing the libel were four D. D's, yet they adduced not one passage of Scripture to prove that the specifications therein were contrary to God's Word. They referred to the Book of Discipline, to acts of Synod, to the Covenant of 1871, the Terms of Communion and Testimony, but not to the only rule. One passage of Scripture applicable to the specifications in the libel would have shown its divisiveness more certainly than one hundred acts of Synod, and the libel itself is evidence that the specifications were not divisive, for in the whole Word of God the Committee found not a single passage from which it

was departure. Therefore we appeal.

SECOND. The second reason for appeal is: The opinion to which exception was taken may be justified by the following Scriptures. Then follows a list of quotations. We have not taken them all up in the remarks we wish to make to you but have selected therefrom certain which we think bear specially on the case in hand. The specification may be justified by Scripture; for it is scriptural to hold that one who makes a credible profession should be received into church membership without binding him to our explanation of the Testimony and Terms of Communion. In Matthew's Gospel, 15th chapter, we find that the Pharisees arraigned Jesus for divisive courses. They charged that his disciples obeyed not the explanations of the elders, but ate with unwashed hands. Jesus replied to them when they complained that he did not walk in accordance with their explanations: "And why do ye also transgress the commandment of God by your traditions? But in vain do they worship, teaching for doctrines the commandments of men," or men's explanations. Christ's whole course was a protest against making explanations articles of faith; because he taught contrary to the traditions of the chief priests' the Pharisees crucified him. On the cross he received into the kingdom a man who made a credible profession of him without binding him to an explanation of testimony. Beyond that test in the gospel commission Christ said nothing about binding converts to explanations. believing in him were to be baptized; those baptized were taught not men's, or churches' explanations, but all things that He commanded. Peter, acting under that commission would not bind Cornelius to the explanation of the Jewish creeds concerning circumcision before he received him into the church. When those at Jerusalem found fault for his not requiring the Gentile officer to be bound by the Jewish explanation Peter said unto them, "What was I that I should withstand God." It was not God's will that explanations should be made binding, Paul also forbade the church at Rome binding to explanations those who made a credible profession of Christ. He said in Romans, 14th chapter, first verse: "Him that is weak in the faith receive ye but not to

doubtful disputations. For one believeth that he may eat all things; another, who is weak, eateth herbs. Let not him that eateth despise him that eateth not; and let not him that eateth not judge him that eateth; for God hath received him." The Jews were forbidden to bind the Gentiles to their explanations about what to eat and drink. The curse of the early church was the Jewish priests who made their explanations about circumcision terms of admission into the church. Paul tells those at Rome, whom God had received they should receive. The very last Revelation prohibits making explanations a term of church fellowship. Jesus, as the Book Divine is about to be closed, tells us, "Let him that is athirst come, and whosoever will, let him take of the water of life freely." But this is followed by the warning, "If any man shall add unto these things (the things that were written in the Book), God will add unto him the plagues that are in the Book." Other Scriptures might be adduced to show that Christ prohibited making explanations articles of faith; but these given are sufficient to show that one making a credible profession of Christ should be received into church membership without binding him to our explanation of the Testimony. And to hold that idea is but to hold what seems to us to be the true Scripture. Therefore, in the second place, we appeal to this court because the opinion specified as being divisive is scriptural.

THIRD. The third reason for appeal is, the opinion to which exception was taken in no way contradicts those declarations of the standards to which reference was made in the libel, and it is in harmony with the following declarations,—then come the quotations. The specification in the libel does not contradict the church's standards, but it is in harmony with them. The Presbytery in the libel says the specification is opposed to the Book of Discipline, chapter 1, section 2, and paragraph 4, which says: "No one shall be admitted who holds any sentiments contrary to the Declaration and Testimony of the church." The Declaration and Testimony of the church is that which must be accepted. The specification again says: "The Testimony and Terms of Communion must be accepted before one can be admitted into the church." So it is not opposed to the Book of Discipline but is in harmony therewith. Presbytery in the libel also says that the specification is contrary to the acts of Synod. Supposing it is, acts of Synod are not articles of faith, and, as the dissents that go on Synod's Minutes continually prove, do not have to be assented to in order to admission into the church. Presbytery in the libel again says, that the specification is contrary to our Covenant of 1871. That Covenant is not an article of faith. Whole concregations have never assented to it. doubt not that there are members of this court who never swore it. I will read from the Minutes of Synod that

adopted the fourth Term of Communion in the new form. It is found on page 211 of the July number of the R. P. & C. for the year 1878: "The Special Committee on the revised form of the fourth Term of Communion reported. The report was accepted and adopted and is as follows:

Then comes the new fourth Term of Communion, and this follows: "The Revs. J. Love, and R. Johnston and Elder Thomas McKnight dissented from this action." These men dissented from the action of Synod that made the Covenant of 1871 a Term of Communion. The fact that Synod recognized they had the right to dissent indicates that that new fourth Term of Communion which includes the Covenant of 1871. was not made compulsory or binding upon individual members in the Church. Presbytery also specified in the libel, "the specification is subversive of the fourth and fifth Terms of Communion." The specification itself requires the acceptance of those Terms. But you say the fourth Term of Communion requires the acceptance of the Covenant of 1871. We answer there are two Fourth Terms of Communion, the old and the new. The old only is binding. The new is not, because as we have shown it requires acceptance of the Covenant of 1871 as an article of faith, and the taking of that Covenant is not compulsory upon individual members of the Reformed Presbyterian Church. Presbytery further said in the libel, "the specification is subversive of the Testimony, chapters 22, 29, 30 and 32." Now the specification in the libel requires the acceptance of those very chapters before one can become a member of the Church. Then how can it be contrary to those chapters? You say it is because the specification requires the acceptance of the standards without binding to our explanation of them.

We have seen that God's Word prohibits making explanations articles of faith. We believe the Testimony of the Reformed Presbyterian Church to be agreeable unto and founded upon the Word of God. Does that Testimony bind those who accept it to our explanations of it? It does not; and more than that, it absolutely prohibits making explanations Terms of Communion. In the very beginning of the Testimony that prohibition is found. On page 8 in the preface to the Testimony of the Reformed Presbyterian Church you will read; "It (the argumentative or explanatory part) is not recommended as an article of faith; authentic history and sound argument are always to be highly valued, but they should not be incorporated with the Church's Confession of Faith." That is what the Testimony of the Reformed Presbyterian Church says with reference to the argumentative or explanatory part thereof. The specification that was placed in the libel to prove the charge of divisive courses says, that you shall not make explanations binding. Is there a departure then from the path of truth? What do we find then is required

for church membership? It is this: "The Declaratory part is the Church's Standing Testimony. It contains principles capable of universal application. To these principles founded upon the Scriptures simply stated and invariably the same in every part of the world every adult church member is to give his unequivocal assent." Only the principles then of the Declaratory Testimony are articles of faith. So says the book; and it also says "that it is an error that any king or magistrate, pope or council has a right to dictate any part of the doctrine or order of the Christian Church." (Testimony,

chapter 20, error 4.)

The Church's Testimony then prohibits making explanations Terms of Communion and the specification of the libel requires the acceptance of our Testimony and Terms of Communion without binding to our explanation of them. An aged father, who is not here to-day because the weight of years and disease is weighing upon him, in the year 1890 published in the February number of the Reformed Presbyterian and Covenanter an article on the Uniting of the Churches, in which these statements or quotations will be found: "Jesus Christ as Head of the Church and King of Nations is the alone foundation on which the Church can be permanently united." Further on speaking with reference to the united church which was the subject he was writing upon, he says: "There are four points on which the evangelical churches are now di-These are:—The duty of refusing allegiance to a government that is not in allegiance to Jesus Christ as King; the subjects and mode of baptism; the form of government of the Church, and the matter of praise. With regard to the first which is our position as Covenanters we can have no difficulty. The Platform is that on which we have always stood. We are required to relinquish nothing. But it may be asked could we heartily cooperate with those who should think that the Platform as they understood it allows them to exercise the rights of citizens? Now their constructions of the Platform are no part of it. I am not required to give them my endorsement; nor are they required to endorse my views. My private opinion is that in a short time they will see their inconsistency and come to our position; and if they think that I will receive such light from the Platform, as will lead me to them, they are welcome to think so, if they do not attempt to thrust their sentiments on me. Agreement in principles must lead to agreement in practice." Further on he says: "There would be ground of hope that the attention being directed to the authority of Christ as the only Head of the Church, subordinate standards would cease to hold such power over the judgment as they do now, and that those who are mistaken on these points will receive light to know what is the mind of Christ." "As regards the manner and form of praise there is ground of hope that as all can join in singing the Psalms of

inspiration, the use of hymns and instrumental music would not be allowed to disturb the peace of the Church." "It is a pertinent question-What will be done with the subordinate standards respectively of the churches when united? My answer is, let them alone; do nothing with them. The Westminster formularies will remain as monuments of the fidelity. wisdom and piety of those who formed them. They answered an important end; and as manuals of instruction they are invaluable. The same thing to some extent may be said of the standards of other churches. All contain a large amount of precious truth. Subordinate standards are not to be allowed to occupy the place of the law in the determination of controversies. That belongs to the Holy Scriptures, exhibited and maintained in the Platform. I am persuaded that the exalting of the compilations of doctrines by men, to the place that belongs only to the Word of God, has done much to intensify and embitter the controversies about the Christian faith." From what we have read it is very apparent that explanations of subordinate standards, or the explanations of standards, are not to be made articles of faith. In this plank to which exception was taken, and which is the specification in the libel that was framed against us, we simply ask that those who make a credible profession of faith in the Lord Jesus Christ and accept the Church's standards, the Church's Testimony and Terms of Communion, shall be received into church membership without binding them to our explanations in the matter of political dissent or other questions. Brethren. it seems to me that if the explanation is worthy to be put in a libel framed against us, and is the charge by which we have been suspended from the ministry, you also ought to place with us in consistency the man who may be regarded as the father of the Church. The Testimony prohibits making explanations Terms of Communion and the specification in the libel requires the acceptance of our Testimony and the Terms of Communion without binding to our explanation of them. The specification then, it seems to me, is not a departure from the constitutional law of the Church but is in harmony therewith. Therefore we appeal. Now these three points that we have considered together show that the libel that was framed against us was inadmissable and was irrelevant to censure. because the specification in that libel was not a departure from God's Word or from our standards which we regard as resting thereon.

FOURTH. The fourth reason for appeal is, that the decision of Presbytery was subversive of the Biblical, Protestant, democratic, Covenanter right of free judgment, free discussion, and free orderly assembly. To have and express an opinion is not to be guilty of divisive courses, especially when that opinion is, as we have shown, in harmony with God's Word and the Church's Testimony. When the Pharisees forbade Peter and

John to preach the gospel, they said, "whether it be right in the sight of God to hearken unto you more than unto God judge ye." (Acts, chapter 4th.) When the apostles were again brought to the High Priest for violating the command against speaking in Jesus' name they said, "We ought to obey God rather than man." (Acts, chapter 5th.) The apostles claimed to exercise the God-given right of free thought and free speech. John said, "Beloved, believe not every spirit, but try the spirits whether they are of God." (1st John, chapter 4, verse 1.) Every man is to think for himself under God and accept no theory without trying it for himself by the Word. So much for the divine standard. The Confession of Faith teaches that "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship. So that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience and reason also." (Confession of Faith, chapter 20, page 20, sec. 2.) "Covenanters claim as a right, liberty of expressing their sentiments with becoming modesty and firmness." (R. P. Testimony, page 61.) United States Constitution says, "that Congress shall make no law abridging the freedom of speech or of the press." (Constitution of the United States as amended.)

The specification in the libel was held and expressed only as an opinion. It was never publicly expressed by myself except before the Pittsburgh Presbytery, and then at the request of Presbytery, in order that the divisions that were between brethren might be healed over once more. The sentiments in that second plank of the East End Platform which are specified as the charge against us in the libel, were never publicly uttered by me, as I said, except to Pittsburgh Presbytery and at Presbytery's request. They were never followed as a rnle of action, and when Presbytery adjudged me guilty of following divisive courses, for holding and expressing an opinion founded upon God's Word and the Church's Testimony, it did so in violation of the Scriptures, the Testimony, the fundamental principles of civil and religious liberty, and thereby

struck a blow at the foundation of all liberty.

Let the line of action that Pittsburgh Presbytery pursued with reference to us be followed by the government of the United States with reference to the Covenanter Church, and what will be the result? You are met here as a Synod to testify against that which is the fundamental law of the land. You say that it is contrary to God's Word. You bear witness against this government. If the government would do to this Synod as Pittsburgh Presbytery has done to us, a Deputy Marshall would be sent here to disperse this body. Allow the same principles that have been laid down by the Pittsburgh Presbytery with reference to us to be pursued by the United

States with reference to the publications that are in a large measure supported by our Church, and you would have a Deputy Sheriff or an officer representing the Government of the United States closing the door of the Statesman's office in Philadelphia and prohibit that sheet being spread broadcast through this country, because it dares to lift its voice against the fundamental law of the land. Follow the line of action laid down by the Pittsburgh Presbytery in finding us guilty of holding an opinion and expressing it, and suspending us from the ministry for it, and you lead yourselves back to the These reasons show the specification not a dark ages. departure from truth; hence it is not a divisive course to say, "that persons who make a credible profession of Christ should be received into church membership on their acceptance of our Testimony and Terms of Communion without binding them to our explanation in the matter of political dissent or in other questions." The course of Presbytery in adjudging me a heinous and scandalous sinner on such a specification was a subversion of all law and liberty, and therefore we appeal to you for redress.

We also appeal claiming that injustice and wrong has been done by the Pittsburgh Presbytery, by the decision rendered, but especially in the manner in which the decision was

reached. The special reasons for complaint are:

1st. It was unjust and wrong for Presbytery to entertain a charge, the specifications of which were not shown to be contrary to the Word of God, the only rule of faith and manners. In that libel there was a specification which Presbytery regarded as being sufficiently sinful and scandalous to suspend seven men from the exercise of the ministry because they, at Presbytery's request, expressed their adherence to that plank in the East End Platform. Yet when the libel was framed, not one quotation was brought from the Word of God to show that that specification is contrary to the teachings of Scripture. If nothing should be found in God's Word to show that this specification was a departure from the truth, and hence I say it is reasonable to infer that the specification is not admissible for a libel; and even if it is admitted, it is not relevant to censure. In this connection let us read from the Book: "These (referring to the evidence and the charges) the judicatory, if it judge the charge censurable, and the circumstances of time, &c., sufficient, shall put into the form of a libel, which shall be signed by the said person or persons as the prosecuting party, who alone shall be responsible for the truth of the charge." That is, if the judicatory judge the Discipline, page 71.) charge worthy of censure, they shall frame a libel against the individual having done such and such a thing.

Now I hold that if nothing could be found in God's Word to show that that specification was contrary to the law, it

never should have been admitted to Presbytery and framed

and made a specification in a libel.

On page 74 there is found that which has reference to relevancy: "The first thing to be considered on the trial is the relevancy of the libel; that is, whether the charges, if proved, be censurable." That is, whether or not the thing specified be that which is worthy of censure. Now, I think I have shown you very clearly from God's Word, from the standards, from the fundamental doctrines of the Church, that that specification rests thereon. Now, could the specification be relevant to censure? But supposing that the manner in which we put forth that specification, or the manner in which we maintained our ideas, or circulated that Platform, or the manner in which we met in the East End church was not exactly regular,-I say, supposing I admit that it was not regular in everything,—here is the specification in the libel. It seems to us that it is the truth of God and the truth of our own Church standards. We may have erred in the manner in which we spread abroad that truth, as we believe it to be. But for Presbytery to arraign us on a charge of that kind, to decide it admissible, to decide it relevant to censure, seems to me contrary to our own Book of Discipline which says, "That care should be taken that public process be not commenced for slight offences which if proved are irrelevant to censure, or which are evidently incapable of any proof. Here is the specification in the libel which we think to be in accord with God's Word and the Testimony and Terms of Communion of our Church. The holding of that opinion is that which is charged against us as a heinous and scandalous sin. that specification had been studied before the libel was framed,—if the Book had been studied,—I do not think we would be here to-day appealing to you, the highest court in the Reformed Presbyterian Church, to reverse the action of Pittsburgh Presbytery, and complaining because of the injustice and wrong which they did us in admitting and voting relevant to censure the specification that was contained in the libel.

Every Covenanter has acknowledged "the Scriptures of the Old and New Testaments to be the Word of God and the only rule of faith and manners." The specification in the charge is not admissible or relevant unless it be contrary to Scripture. No Scripture was adduced in the libel to show that the specification was contrary thereunto. Therefore the specification in the libel was inadmissible and irrelevant to censure. Only heinous and scandalous sins are censurable. (Testimony, chapter 31.) To say that a person who makes a credible profession of faith in Christ should be received into church membership without binding him to an explanation of standards, is not scandalous, for this is what our own Book holds. Therefore it is not censurable. The libel itself, as

t stands before you to day, and as it has been read in your hearing, is a monument of the injustice of Pittsburgh Pres-

byterv.

SECOND. In view of the facts, that any intention of violating any principle or practice of the Church has been publicly denied; and that, by resolutions assented to and subscribed, the keeping and enforcing of the Church's practice in that to which exception was taken had voluntarily been made obligatory, it was unjust and wrong for Presbytery to entertain charges, proceed to trial and sustain the accusation. Presbytery's official document, the Pastoral Letter, admits there was no intention upon our part of violating the Church's law. The Pastoral Letter reads: "Time and again it was officially affirmed that no charge was made against the moral character of the accused, not even in the matter of intention or motive, in the divisive course which they had in fact pursued." (R. P. & C. March, 1891.) Yet when they admitted that we had no intention of pursuing a course that was divisive, -of walking contrary to the law and order of the Church,—they proceeded to suspend us. In the very face of that admission they proceeded to brand us as heinous and scandalous sinners. It was unjust and wrong, we claim, for Presbytery to do that, and Presbytery's official document, the Pastoral Letter, proves it. The resolutions of the Judicial Committee were assented to, and they bound us to the keeping and enforcing of the Church's laws. Those resolutions were as follows: 1. We disayow the East End Platform as a basis of union within the Reformed Presbyterian Church and as other than an explanation of individual opinion. 2. We engage to abide by the existing laws of this Church as to voting at civil elections and holding office, and to carry them out in the exercise of our office. 3. We engage not to propagate contrary views to the above while holding the position of ministers of the Reformed Presbyterian Church." It may be said that I withdrew my assent from that basis. I want to say here and now, from that basis as it was drawn up and as it was assented to in the Judicial Committe, I never have withdrawn my assent.

Right in this connection let us consider one of the reasons that we give further on for complaining of injustice and wrong: "6. Presbytery unjustly refused to correct misrepre-

sentations of us in the Minutes."

The Minute referred to is, quoting other names, my own in connection: "W. L. C. Samson stated in the court that Presbytery having taken the above action he repudiated the basis of agreement submitted to Presbytery in the Judicial Committee's Report." W. L. C. Samson, never said that he repudiated the agreement submitted to Presbytery in the Judicial Report, the Minute of Presbytery to the contrary nothwithstanding. What I did say was this: "I care not what action Presbytery may take with reference to the East End

Meeting." This language had reference to the resolutions that were introduced as a preliminary, or amendment, to the basis agreed upon. I said: "I care not what action Presbytery may take with reference to the East End Meeting and Platform. You may say what you please about them. But do not couple that action with the basis. I accepted that in good faith, and I stand by it; but if the resolutions introduced

are riders thereto I will not adhere to it."

Now right here I want to explain. The day that Presbytery met to receive the Report of the Judicial Committee, the chairman of the Committee made his report as soon as Presbytery was constituted and the preliminary business transacted. The Report was no sooner made than a member of the Committee arose, tearing open old wounds in a very unpleasant manner, for the six at least, (seven altogether). It was a very different action from that which we had expected he would do when he came to present that basis of settlement. The resolutions were introduced as a preliminary to or amendment of the basis agreed upon. I felt at that time that that was a breach of faith, a violation of the confidence we had placed in the man who did that act. Those resolutions were introduced about twelve o'clock in the morning. It was immediately moved and seconded that they be considered in connection with the basis presented by the Judicial Committee. From that time, about twenty minutes of twelve, until four o'clock in the afternoon, the resolutions introduced and the basis presented by the Judicial Committe hung together with the exception of an hour and a half or two hours for dinner. The attempt was made to pass the basis presented by the Judicial Committee with the riders attached thereto. Finally some one moved that the question be divided; that the basis presented by the Judicial Committee be laid on the table and Presbytery take action in reference to the Resolution presented in the Presbytery. That was done. Now I am willing to make an acknowledgment of my ignorance with reference to parliamentary law. You have been told that we are young men, and we are young. I thought when Presbytery adopted the preliminaries than we would take up the basis of settlement, and that it was simply adding the basis of settlement to the preliminaries, not presenting them to us in their distinct form. Having the idea in my mind that I would stand by the basis, and not certain as to what the action of Presbytery did purport, I put in the qualifications that I did, which I have read to you from the statement I made here. I never withdrew my assent from the basis presented by the Judicial Committee, and stand by it to-day for that matter. The fact that we gave assent to that basis goes to show very clearly that we have no intention of going contrary to the principles or practice of the Church's law. So much for the basis presented by the Judicial Committee.

But there was another set of resolutions which were assented to by myself, and were presented to the court. They are as follows: "1. We do not hold the East End Platform as a bond of union within the Reformed Presbyterian Church, but as an expression of individual opinion sent forth for the purpose of correcting current misrepresentations. 2. As officers of the Reformed Presbyterian Church we have kept and intend to keep the laws of this Church as to voting at civil elections and holding civil office. 3. We will not in any disorderly manner maintain the views expressed in the above East End Platform."

In view of the fact that Presbytery's own records show that they agreed with us that there was no intention of violating the Church's law,—in view of the fact that we assented to the basis proposed by the Judicial Committee, or Commission, or whatever it may have been, in Pittsburgh Presbytery,—and in view of the fact that we presented resolutions which we signed, and voluntarily bound ourselves to keep the Church's law, obey the Church's practices, it was unjust and wrong for Presbytery to entertain the charge, proceed to trial and find

us guilty of the specification.

The third and fourth reasons for the complaint I have

thought best to pass by.

The fifth reason for appeal concerns the way in which evidence was secured by which a libel might be framed against us; the way that evidence was secured, upon which to attempt to frame a libel was unjust and unfair. Under the guise of effecting a settlement Presbytery secured the evidence. to convict us. Opportunity was given to make statements. True, as it doubtless will be said, those statements, were made voluntarily; but they were made, as is shown by the report of the Judicial Committee, with the purpose of effecting a settlement of the differences of opinion that were then causing trouble in Pittsburgh Presbytery. The olive, branch was held out. We thought they meant what they said when they stated they wanted this thing that was shaking the Church settled, and wanted us to make statements in order that we might see eve to eve, that the trouble might be at an end. We told all we knew with reference to the East End Platform, and gave an explanation thereof as we understood it. It was charged at the time that statements were being made that Presbytery wanted those statements as evidence by which they would be able to convict us. That charge was presented by a man who was on the committee to frame the libels against us, and which used those statements as the only evidence that was adduced.

Now the wording of the Judicial Committee's Report 15 this—that opportunity be given to make statements, was first recommended, and then comes this quotation: "That if possible by the most frank, open and candid expression of

views and purposes we may come to see eye to eye, and mutual confidence be restored." (Report of Committee on Discipline, section 4, paragraph 2.) We thought Presbytery wanted to settle the matter, and candidly gave a full statement concerning the meaning and purpose of the East End Platform. Those statements were made for the purpose of effecting a mutual settlement. Yet those statements were the only evidence adduced against us. In civil courts statements made under those conditions, made for the purpose of effecting a compromise settlement, cannot be introduced as evidence. Yet Pittsburgh Presbytery, a court of the Lord's house, did that which the civil law does not do. This government, which is called Godless and Christless permits no such methods in its courts of justice. Presbytery's method of securing evidence was unjust and unfair.

SIXTH. Presbytery refused to correct misrepresentation of us in the Minutes. This reason we have already brought to your notice. I would add here, in connection with the statements made before, that I called Presbytery's attention to the fact at the meeting that followed, that when Presbytery acted on the Minutes which were brought to your attention, that that Minute misrepresented me,—that I did not repudiate the basis presented there, but what I said was, that if the Resolutions presented in connection therewith were riders thereto, I would not stand by it. I wanted the statement that I made in my objection placed upon the Minutes, yet Presbytery refused to put that statement in the Minutes, and in that regard acted

wrongly and unjustly towards me.

SEVENTH. Presbytery had manifestly prejudged the case. Fifteen members of Presbytery had so made up their minds that they were my accusers and prosecutors before ever testimony other than hearsay was had. Eleven of the fifteen accused us of forming an organization for the purpose of abandoning the principles and practices of the Covenanter Church and requested Presbytery to take notice of their accusation. Those eleven were members of the Elders' Convention, and the Resolutions of the Elders' Convention that have been read in your hearing charge us, "certain indefinite persons," whose names are furnished in the Report of Discipline, with forming an organization for the purpose of abandoning the distinctive principles and practices of the Covenanter Church. They knew who were meant by that charge. Men who can make such charges, and men who can ask Presbytery to prosecute their case for them, certainly have made up their minds. Eleven members of that Presbytery were members of the Elders' Convention. names are signed to the call, and were signed to the call at the time of the meeting of the Elders' Convention, in which these charges were made to which we have reference, and which convention petitioned Presbytery to prosecute us.

The names of the eleven are: "John A. Dodds, John T. Morton, —

A DELEGATE: Mr. Moderator, is that permissible?

Mr. D. TORRENS: I don't think that is admissible.

Rev. Mr. SAMSON: I just want to substantiate my statement.

Dr. R. J. GEORGE. I wish to say, as one of the prosecutors, I raise no objection to it.

A DELEGATE: I do not see why it is not admissible,

The MODERATOR: The Moderator does not see any

reason why they cannot be read.

Mr. SAMSON; It is just in substantiation of my statement that eleven of the members of Presbyterv had made up their minds on the case before the trial began, viz., John A. Dodds, John T. Morton, R. A. Bole, M. W. Leslie, J. G. McElroy, Jno. H. Reed, Robert Glasgow, J. M. Douthett, and Joseph Wallace. Those eleven men signed the call for the Elders' Convention. Even the time of the meeting was put to it. The Elders' Convention made the charge against us that we had formed an organization for the purpose of abandoning the principles and practices of the Covenanter Church, and wanted Presbytery to prosecute us for doing that thing. Four of the fifteen, one elder and three ministers, in memorials to Presbytery made five most grave and serious accusations. The Report of the Committee on Discipline, after the Committee had summed up the different papers that were forwarded to Presbytery, in section 1, contains the charges that were drawn from the Memorials, and they are as follows: "The matters complained of are of the most grave and serious character: 1. False and heretical teaching, contrary to the Word of God, and the accepted standards of the Church. 2. Following divisive courses by assailing clearly defined doctrines and practices of the Church. 3. Covenant breaking and apostasy, in departing from past attainments and violating our sworn engagements. 4. Breach of official trust by disregard of solemn ordination vows and the use of influential positions to break down the Church entrusted them to maintain. 5. Insubordination to the Synod and contempt of its authority." Those accusations were contained in the papers that were referred to Presbytery, and the Report of the Committee on Discipline claimed that. Those who could make such statements certainly had prejudged the case.

Fifteen persons were concerned in the papers presented and were also members of the Court. I think at that Presbytery that tried us there were twenty-nine members of the Court. Fifteen, by the papers that were brought there containing accusations against us, had judged us guilty before ever the Court met. Presbytery had prejudged the case, and therefore we appeal to you for justice.

EIGHTH. The reasons assigned by those voting to sustain the charges were not based upon the law and the evidence, but upon expediency and other grounds. We will pass by

this eighth reason.

NINTH. We humbly believe the charges sustained originated in misunderstanding and misrepresentations of our actions and doings rather than any wrong doing of ours. The report of the Committee on Discipline charged us with being heretics, followers of divisive courses, apostates, breakers of official trust, insubordinates. Those were the things that were complained of in Memorials. Those were the things that the Committee on Discipline found contained in these papers that were referred to Presbytery. The Committee truly said that the charges were grave and serious. If these charges were true we ought not simply to be kicked out of the Covenanter Church, but we ought to be barred out of every body that professes to be a part of the body of the Lord Jesus Christ. We were charged as being covenant breakers, heretics, apostates, followers of divisive courses, those who had broken trust, those who were insubordinate! Now, we propose to show from the very report that the Committee on Discipline brought in that our belief with reference to the origin of the whole affair, as it is brought before you, came

from misunderstanding and misrepresentations.

Did Presbytery libel us on all the charges that were contained in that Committee's Report? Did they libel us for heresy? Ah, no! When they had the statements all in they didn't think we were guilty of heresy, for the libel didn't charge us with that. Did they charge us with being apostates? Ah. no! When we told our story, when the evidence was in, it was very apparant that somebody had, to say the least, misunderstood us. Did the libel charge us with breach of trust? Did it charge us with insubordination? Ah, no! Those charges, made by the Committee on Discipline, as being contained in the papers referred to them, were all passed by, except the one, divisive courses, and that the least of all that was alleged against us. On our statements, made with the purpose of effecting a settlement, they brought in a libel. The report of the Committee on Discipline, when placed side by side with the libel, proves that there was misunderstanding, and, as a natural consequence, misrepresent-They may say that they could have libelled us ation of us. on these other charges. Right here, we want to say, that if we were apostates, if we were heretics, if we were those who had broken trust, if we were ones that were insubordinate,— Presbytery in not libelling us on those charges became particeps criminis. You have heard brought out on the floor of this Synod how very ready Pittsburgh Presbytery was to enforce the law. They were very ready, and if they could have convicted us of apostasy and heresy, of breach of official trust and insubordination, we would have had the libels against us.

But there were no such charges against us,

Because of the great injustice done by Pittsburgh Presbytery, not to me only, but to the cause of the truth, the Church's Testimony, God's Law and the Lord Jesus Christ, in their unjust and unchristian course of procedure, we complain to your honorable body and appeal to you to reverse the finding of the lower court on the ground that it is not the following of divisive courses to hold "that persons who make a credible profession of Christ shall be received into Church membership on their acceptance of our Testimony and Terms of Communion without binding them to our explanation in the manner of political dissent or in other questions," because it is in harmony with God's Word and the Testimony, and the finding of Presbytery was subversive of all true liberty.

We complain of injustice and wrong done to us by Pittsburgh Presbytery because the libel that was framed against us contained no Scripture to prove that the specifications therein were contrary to the Word of God, and therefore was inadmissible and irrelevant to censure. We appeal to you and complain of injustice and wrong done to us by the Pittsburgh Presbytery in finding us guilty of the heinous sin and scandal of following divisive courses when according to Presbytery's own official Pastoral Letter no immoral charge was brought against us. When we had assented to the basis proposed by the Judicial Committee, when we had voluntarily subscribed a basis ourselves, by which we were bound to keep and enforce the law, it was unjust and wrong, in view of those facts, for Presbytery to entertain the libel, proceed to trial and convict us. Presbytery acted unjustly and wrongly in their method of procedure against us, in that they refused to allow us to make corrections of Minutes that misrepresented us. Presbytery was prejudiced against us. The fifteen to whom we have made reference were accusers and prosecutors before ewer Presbytery met. The fifteen were a majority of those who sat in our case

We complain, in the last place, because the charges that were brought against us originated in misunderstandings and misrepresentations of us, as is proven beyond the possibility of a doubt when the report of the Committee on Discipline is placed side by side with the libel that was framed against us.

Dear Fathers and Brethren, I have taken very much of your time, more than I thought I would occupy; but I ask you, in closing, to remember that there is another appeal, and that appeal is with reference to the sentence that was passed upon us. We give two reasons for appeal and complaint from that sentence. The first one of them we will not touch upon, but rest our argument on that made by brother Reed, which was based upon the old Scottish law. First. The first reason for

complaint against the sentence of suspension is, That it was unjust to execute the sentence when an appeal from Presbytery's decision had been entered. We rest our case, on the first reason for complaint, on the argument which has been presented by Mr. Reed, and also by the brother preceding,

Mr. Milligan.

Second. The severity of the sentence was unwarranted by the offence charged. Admitting that the opinion which we hold is contrary to Scripture; admitting that it is contrary to the Testimony; admitting that we did make a mistake, I ask you, the Synod of the Reformed Presbyterian Church, to say if it was just, if it was right, for Presbytery to suspend us from the office of the ministry on such a charge as that, when it is remembered that we obligated ourselves to keep the law,—when Presbytery bound us to keep the law,—when we said we only hold it as an opinion,—when we only put forth that opinion for the purpose of correcting misrepresentations.

And now we close. We thank you for your kind attention. Remember that in deciding on this case you are deciding a case that concerns your own law; concerns the law of God; concerns the fundamental principles of liberty. We feel that if you sustain the action of Pittsburgh Presbytery you trample down your own Testimony to do it; we feel that if you sustain the action of Presbytery, you lay aside God's Word to do it; and, if you sustain Pittsburgh Presbytery with reference to the sentence that was pronounced, I will say

nothing.

(At the conclusion of Mr. Sampson's address the court adjourned until to-morrow morning.)

MORNING SESSION.

THURSDAY, JUNE 4th, 1891.

After the usual morning exercises, the Moderator anounced that the business before the Court was the hearing of the pending Appeals from, and Complaints of the action, of Pittsburgh Presbytery; and that the next speaker in order

was Rev. O. B. Milligan.

Rev. O. B. MILLIGAN: I am impressed with the fact that I do not wish to occupy the platform until I can stand there as a free man, with the enjoyment of all the rights and privileges of any who are sitting this day in the Lord's house. Moreover, if I would take that platform I would hold you, Mr. Moderator, and the members of this Court, to answer any charge that might be preferred against me for contempt of the authority of the Pittsburgh Presbytery. Now, I state that in all kindness. I have thus far refused to stand on a platform behind a pulpit in the Reformed Presbyterian Church. By so doing I have been obedient to the authority of the Pittsburgh Presbytery, and I feel that now for me to take that

place would be or might be construed as a contempt of the authority of Pittsburgh Presbytery. With this explanation, if the members of the Court desire me to take the platform, I am perfectly willing to do so. I would just remark that there is one happy thought that the pulpit is not here. (Cries

of "Platform," "No."

Rev. O. B. MILLIGAN: I judge that it is true, Fathers and Brethren, that the lives of all of us are made up of anomalies. Strange things happen us to-day only to be succeeded by stranger things to-morrow, until in the end, I doubt not, that we are all surprised and ready to cry out: "Behold the wonderments." I cannot but hesitate for a little to gather up a few recollections, for the sacred memories of my childhood, my boyhood and of my early manhood, are associated with the walls of this building in which we are gathered to-day. Here I learned the first rudiments of that grandest system which the world has ever known—the system of Christianity. Here I was persuaded of the necessity, or duty, devolving upon every man to make a public profession and acknowledgment of Him in whose hands our life is and whose are all our ways. Here I handled for the first time the symbols of the broken body and blood shed of our crucified Redeemer. Here I shouldered those responsibilities that belong to all that have declared that they are on the Lord's side. Here I was moulded in that ambition, under the influence of which I was constrained to give myself to the ministry of Christ. In these walls I worshipped and served the four years of preparation that I spent in the seminary. Here I was given the right to preach the gospel of Christ by a court of God's house I attempted for the first time to declare that gospel that has brought peace and happiness to the minds of the children of men. And now. Brethren, I stand to-day to defend my right to preach this very gospel of Jesus to which work my father in my boyhood, my father all through my growing years, consecrated and helped me to undertake.

You will not wonder then, Fathers and Brethren, when I tell you that the emotions of my heart at this time are of a very conflicting character. And yet, there never was a cloud which to the careful observer had not some bright spot in it. And in this case there is a bright spot to me. Charged as I have been, found guilty as I have been and suspended by a court of God's house, as I have been for the heinous sin and scandal of following divisive courses, yet no man has lifted his voice against my moral character. Brethren of Pittsburgh Presbytery, I thank you that you have made it possible for me to stand here without having cast a reproach upon the

name I bear.

And now, Fathers and Brethren, I am happy that this hour has come. For six months, and especially for the last seven days, burdens of almost intolerable weight, fears unrelieved,

I might say, by any hope, have been preving upon my heart. Weighed down by this burden of care I say that I am happy the hour is come and the burden is about to be lifted. And let come what will come, I thank my God that he is soon to bring me out of this unhappy state. Brethren, I am here to defend myself in answer to grave charges. And I want to say just here that, grant that these charges be true; grant that these men have acted justly and rightously in what they have done; I want to say to you, not only in your presence but in the presence of my God, that if I have been guilty, I have been innocent of any malice or premeditation to do evil to the Church in which I was born. I love the Covenanter Church, and because I love her I stand to-day before you. Doubtless you all know that had I been desirous to have been away from you to-day, the opportunity was open to me; but it was the sense of the obligation that demanded of me and compelled me to recall what I had done that I might appear before you to defend my course with reference to the Church I love. And, Brethren, I want to say more. Perhaps the strangest part of this whole matter to me is this: that while there was a way by which these things could have been averted, men whom I love and whom I have respected all my days, at whose feet I gathered what little learning I possess to-day, men who could have averted this trouble that is now upon our Zion, are the very men that have compelled me to appear before you. I believe, Fathers and Brethren, that I am in possession of Christian graces. I believe that if it had been proven necessary for me to repent of what I had done, I could have repented. I believe that if it had been proven necessary for me to recall my endorsement of the East End Platform, I could have done it; such has been the disposition of my heart ever since I gave myself to Jesus, and such I trust will be my character and such will be my record when I appear before him for judgment. Men who have taught me, men who have led me, men who have moulded all my character, men who could have averted this terrible evil and saved the Church this awful responsibility that is upon her to-day. are the very men who have compelled me to come before you. and the men who have compelled you to sit in judgment upon me. And now, Fathers and Brethren, I do not mean to be long this morning. You have had a very full and free presentation of our case. The brethren who have gone before me have been very generous to me. Perhaps (indeed I know) they knew the truth with reference to me. I made no preparation for this defence, and those going before have gathered up and presented the things which I deem necessary to come before this Court; and I thank them for it. The harvesters have gathered all, and those of us who come to glean after them will have but few straws to gather.

It is my privilege, having endorsed the appeal and com-

plaint of Rev. W. L. C. Samson, and having concurred in his appeal and complaint, to take up and discuss the various articles or items of that appeal and complaint. But Brethren, as this has been done so fully and so clearly, I will waive my right to speak on this particular part of the case, reserving however, if you will, the privilege of replying to those who will appear before you shortly to defend the action of the Pittsburgh Presbytery, and I will come to my own personal appeal to you with reference to the position in which I stand.

The first point in my appeal is this: There is no evidence that I have been guilty of violating any law or practice of the Church, or of offensively influencing my congregation or others against any such law or practice. With reference to all the articles that have been spread abroad through the Reformed Presbyterian Church by means of her organs, or through other columns, I declare here and now that personally I am responsible for none of them. With reference even to those anonymous communications that some may suppose may have come from my pen I want to assure you, Fathers and Brethren, that I father none of them. Further than that, I have not in my public services in the sanctuary or in the social services of the prayer meeting lifted my voice against any of the principles or practices of the Reformed Presbyterian Church. I believe the principles of our Church are the principles of God's Word. I believe that the personal application of those principles is a duty that devolves upon every man. And, Brethren, I want to say to you while you gave me the right to vote for a Constitutional Amendment I did not cast my vote. I have no confession to make to you to-day, that I at any time in my short experience cast a ballot under the Constitution of the United States. I want to say further, that in my official capacity as Moderator of the Session of the East End Reformed Presbyterian Church, I have never allowed any man, or any woman either, to unite with that congregation without bringing before their minds and demanding of them an assent to the manner in which we make application of the principles which we profess.

And I now go further than that and make this declaration: I have not offensively influenced any man against the principles of our Church. By that term I want you to understand that I have not made it my business to go in and out among the members of my congregation and speak of these things; I have not made it my business to talk of these matters with those with whom I came in contact. And I am free to say to you to-day, Fathers and Brethren, that so far as my memory serves me I never broached these questions to any man. I have talked them over but I have never introduced them as a subject of conversation. I have been engaged in the ministry of Christ. I have had the burden to bear of presenting the truths of the Gospel of Jesus, and Brethren, that has been my

chief concern. You know, those of you especially who are in the ministry of the Gospel, what it is to preach the Gospel. You know that not only in your studies among your books, but when traveling by the way, the thoughts that crowd on your mind, the thoughts that have the uppermost position in your mind, are thoughts with reference to preaching the Gospel of Jesus. And these are the thoughts that have crowded my mind so fully that unless other subjects were

suggested I have little or nothing to say.

But to go on, I make in the second article of my appeal a very broad statement. I have been and am true and loyal to all the distinctive principles and practices of the Church as set forth in the subordinate standards of the Church and also have given due subordination in the Lord to the authority of Synod. Brethren, bear in mind that statement is over any signature; bear in mind that I have introduced that statement into a court constituted in the name of the Lord Jesus Christ, and, realizing these things, you must be impressed with the fact that what I have written I have written because I believe it to be true. I might say something without such a solemn place that I could notst and over; but. Brethren, I dare not say anything in the appeal I sent up to you that did not express the feelings of my heart; that did not meet with the approval of my conscience.

In the closing of my address in my trial in the Presbytery I took hold of the Bible; I placed on the Bible the Confession of Faith; above the Confession of Faith I laid the Testimony of the Reformed Presbyterian Church, above all I placed the Book of Discipline, and I said to that Court, as I say to you to-day, on this I stand, so help me God; I cannot do otherwise. And, Brethren, whatever your decision in this case may be, if it is your will that I shall go from among you, I want to say now that go where I will, I will take with me all the obligations that I assumed when I became a minister in the Reformed Presbyterian Church. I will take with me all the principles that I gave my assent to, and that I have defended during my short ministry in this Church.

during my short ministry in this Church.

You may say that I have not, contrary to my statement, given due subordination in the Lord to the authority of Synod. You may bring up as evidence against me the fact that Synod at its last meeting in New York passed a resolution to the effect that there shall be no more discussion; to the effect that there shall be no more writting in our magazines against any of the principles or doctrines or the application of the principles and doctrines of the Reformed Presbyterian Church. Brethren, I have been true to that, except in so far as you may declare that the East End Platform was a violation of that Declaration or law, if you will, of Synod. But I do not believe that that law that the Synod of the

Reformed Presbyterian Church enacted in New York has the

authority of the Word of God.

I believe that I have the right, a God given right,—ay, an American right,—to speak my mind if I come to a certain conclusion that any principle, or any application of any principle, is contrary to the will of Christ. And I say to you now, that that law enacted by the Synod of the Reformed Presbyterian Church one year ago is against the liberty of the sons of God in which I as a member of the body of Christ am to-day. God has given me liberty to think; God has given me the right to conclude, and the same God has given me the right to speak my conclusions. And the God who gives me these rights gives to no court of his house the right, to demand that I shall forego these rights; and until you rescind that action of Syncd last year I want you to understand that I for one believe you have violated the liberty that God has given his children.

Now I come to the third article in my appeal and which you will notice is a very broad article. The origination of this charge and my trial under the same in all its stages has shown, as I humbly believe, a spirit alike unpresbyterian, unprotestant and unchristian, in expecting and exacting from me submission to the decisions of Synod as an absolute law or imperative obligation which must be accepted as the authoritative rule of practical conduct if not of conscience. Brethren, I do not wish to weary you. The brethren who have gone before me have opened up this case very clearly, and it seems hardly necessary for me to go over the ground which they have traveled merely to reiterate their statements. Nevertheless, lest you may think that I have not a case, I believe I will have to trespass a little longer on your patience, and present my notion of what this third article of my appeal says:

First, with reference to the origination of this charge. It originated, first of all, in the calls for the Elders' Convention which met in a sister city, if my memory serves me right, in August of last year. After leaving the East End Church at the conclusion of the conference which we held on July 15th, I banished from my mind,—or rather it did not take any will power to banish it, it vanished itself,—all notion of ideas or concerns with reference to our East End Meeting. Shortly after that I took my departure for the east to spend a short vacation. And while there, I was surprised beyond measure when a paper was handed me with the announcement of the Elders' Convention and with the reasons for this Convention printed upon that paper and given as being: "Because of an organization formed in the East End for the purpose of destroying the Reformed Presbyterian Church."

Brethren, that is the first time I ever dreamed that any man thought that the purpose of the East End Meeting was

the dissolution of the Reformed Presbyterian Church. And I want to say more, just here, that the man that framed that call for the Elders' Convention, or the men who framed it, if they read the East End Platform, as it was printed in the circular formed by those who met in that conference or as it appeared in the daily press, maliciously misrepresented the object or the purpose of that Platform. At the head of that Platform in letters so large almost that any man might read them is the declaration that "This Platform is put out for the purpose of uniting the divided body of Christ." man who says, that I had any other purpose in the printing of that Platform than the object it declares itself, that man charges me falsely; that man inpugns my motives; that man condemns me as a liar in the sight of God and mer. and that alone was the purpose of printing the Platform of the East End Conference. And, Brethren when the churches of Christ come together the articles of that Platform are the articles on which I want to see her unite and on no others, Why? Because those articles refer to books, refer to testimony. refer to confessions, the contents of which I believe to be the will of God as he has revealed it to us. Now that, I believe, was the meaning of this charge that has been preferred against us, and on which we have been found guilty,

Another element or another thing leading up to the formulation of these libels was certain memorials. I refer to the memorials that were sent up to our regular meeting of Presbytery on the 2nd Tuesday of October, from some of our rural congregations. In these memorials or in some of them is also declared the fact that an organization had been formed to disrupt or disorganize the Reformed Presbyterian Church. and recommended Presbytery that they proceed against us, giving us one of three alternatives to accept. Now just at this point I want to call your attention to a fact, and I want to keep this fact in mind when you come to render your decision on this case. I am going to speak plainly; I am going to hew to the mark let the chips fall where they will. memorial sent up from Beaver Falls Congregation the fact of an organization being formed in the East End to disrupt the Covenanter Church is stated in plain language. Over against that I want to bring to your minds this thought. The Moderator of the Session of the Beaver Falls Congregation, the Secretary or the Chairman of the Committe on Discipline in the Presbytery in the regular meeting of the Presbytery, the Secretary of the Judicial Committee that brought us before them, if possible to settle this matter in a harmonious way. and I believe that the other man who will be to-day before you to defend this action of Presbytery, all declared that they never kney that an organization had been formed until those of us who were before the Judicial Committee and afterwards appeare I before the Presbytery declared that there was an organization. Now, Fathers and Brethren, what right has any Elders' Convention, what right has any congregation, to memorialize a Presbytery with reference to a fact about which they know nothing? Is not that misrepresentation? Is not that religion run mad? And I want to say further, that the man who wrote the memorial from the Beaver Falls Congregation is present to-day, and that the memorial is in his own handwriting; and yet when Mr. Temple got up on the floor of the Presbytery and declared there had been an organization formed in the East End. this same man rose to his feet and said: "That puts a new face on the question; I would not have accepted the basis of union in the Judicial Committee if I had known that your organization had been formed in the East End Meeting." If you can reconcile those things I want you to do it. I am standing and pleading for my rights as a servant of God; and while I may do you an injury in our Church, my brother. I want not to do you an

injury before our God.

Here come the memorials. The memorials are referred to the Committee on Discipline. The Committee of Discipline bring in recommendations. The first recommendation is, "That an hour be set apart for prayer," which was entered into in the true spirit. I had a trouble on my soul at that moment, and before that season of prayer began I made known my trouble. I told that Court I wanted to get all the devil out of me there was in me, and I did before I went into those services. After the season for prayer the second recommendation was brought up by the Court, which was, "That an opportunity be granted to the young men to make what statements they please with reference to this case, if possible to reach a common settlement." This may not be the exact language of the recommendation itself; I took the contents of the wording of it. In answer to this invitation of the Court I amongst others made a short address to them. And I want to tell you, Fathers and Brethren, that the only thing that I said in that address in reference to which they could lav their hands upon me was a simple confession that I had been at the East End Meeting, that I had been a partner in the forming of that Platform, and that is al!. But that was not all that I did say. I took up the declarations with reference to church union in the Confession of Faith, in the Reformed Presbyterian Testimony and in the Covenant formulated and solemnly sworn by this Court in the year 1871 and from these declarations I argued before that Court that I and they and all of us were under the most solemn obligations to work, labor and pray for the visible unity of Christ. That was the burden of the address that I made before that Committee. Brethren, I want you to know this, that that address is the only evidence they had upon which to libel me.

After the address there was quite a number who expressed

various opinions and were ready to come to certain action; somehow or other they were unable to harmonize, and as the result of this want of harmony a fourth recommendation was taken up. And that recommendation I believe to-day, -and I know that I will carry this belief with me as long as I live, and will carry it with me to the throne of God, -was a recommendation that a Commission be appointed to settle this matter in conference with the young men. Now, Brethren, I am not going to charge anybody with changing the Minutes or the language of that recommendation. But I want you to know that that is my belief, and I say it conscious of the fact that I am standing in the divine presence. I answer, to that recommendation a Committee or Commission was appointed. This Commission met later on in the Central Reformed Presbyterian Church, Allegheny, in the morning; and this Commission or Committee, whichever you call it. formed or framed a basis of settlement—a basis that met with the hearty approval of every member of that Commission or Committee. We received notices to appear before that Commission on the afternoon of that same day. We did not know that they had met in the morning. We never dreamed they were going to meet, and I confess I was surprised when I went in in the after part of the day and saw or had presented to me a basis that had been approved by this Conmittee. After a great deal of discussion pro and con, and kindly expressions one to another, we all agreed to accept that basis of set lement. There was a good deal of insistence brought to bear upon us to sign our na nes to that basis of settle nent.

Brethren, if the defendants in this case endeavor to make a point out of the fact that we refused to sign that basis, I want to tell you beforehand that the ground of my refusal was declared to them to be, as I declare it to you to-day to be the fact, that I had grown beyond that day when I would have demanded of me that my signature be attached to an article or basis to which I agreed. I held to them that as a Christian man my declaration was of as much value as my signature. After this agreement had been reached on all sides, there was a happy farewell. Brethren. I was happy. My trouble in regard to this trial that I had anticipated was before me was all gone. The burdens that rested upon me were lifted and I felt that what might have been an awful trial to the Reformed Presbyterian Church had been averted. And now. Brethren. before we departed, the members of that Committee attested their faith towards us and their agreement that is in this basis of settlement, and gave to us one and all the right hand of fellowship. One member of that Commission who will be here to defend Presbytery to-day, made a remark to this effect: "I have helped you out of this difficulty; if ever I get in trouble I want you to help me out of it." To this we all agreed. Another member of this Commission who will appear before you to-day to defend the action of Presbytery, when he took my hand in his said, "I thank God you men are going

to stay in the Reformed Presbyterian Church."

Brethren, there was a covenant entered into with all the solemnities of any covenant ever sworn in fatherland. A covenant engagement as solemn as that Covenant to which they will appeal to-day in vindication of their course! They were bound to me in covenant engagement, Ay and I was bound to them and together we were bound to that basis of settlement. Now what is a covenant? I think I can remember the definition given by my Professor, D. B. Wilson, I think it was he, if it was not it was his contemporary, the late Dr Sloane. He said, "A covenant is an agreement entered into between two or more parties to do or to refrain from doing certain things." This is a covenant. Now the covenant entered into by that Commission was to stand by this basis of settlement. And yet shortly afterwards I received notification of a meeting of Presbytery. And what? I do not believe any man who has not had a like experience with me can imagine my surprise when the man who took my hand and said he thanked God I was going to stay in the Reformed Presbyterian Church was the man who violated the covenant entered into in that meeting in the Central Allegheny Church. That is the man who stood before that Presbytery who said, "Not as a member of the Committee, but as a Presbyter I present this series of resolutions." Oh, wonder of all wond rs! Brethren. Paul says. "Great is the mystery of god-liness. God manifest in the flesh"-one nature, one person and yet two things. Ah, but here is a greater mystery. Not as a commissioner, not as a committeeman but as a Presbyter two persons represented in this man? Behold it! Now they will tell you that we repudiated that basis of settlement. I ask you 'n all honor and candor, when one man violates hispart of the contract, is any other man who accepts that contract bound to his part of it? No. A man violates his part of that basis of settlement. Am I bound to hold on to that settlement? No, Brethren, and I thank God to-day that I am no, bound to that settlement because of the infidelity of the men who were the framers of that settlement. And I also want to say this to you. Brethren, that I am ready, should this court be willing, for the peace and welfare of our Zion to accept that basis of agreement. Av, and if this court be ready to demand of me my signature. I am ready to put my name to that basis of settlement and agree to it with the explanation I demanded in the Committee on Discipline. I have appealed here from conduct unpresbyterian, unprotestant and unchristian; I have presented before you the facts with reference to the libel that was preferred against me. The first was a call for the Elders' Convention. That call I claim was unpresbyterian was unprotestant, was unchristian in that it charges

something the men who framed that call knew nothing about by their own confession, or the confession of those with whom they were associated. Fathers and Brethren, I submit to you if those ministers who met with us in the Pittsburgh Presbytery did not know that we had effected an organization in the East End; how are the Elders who were supposed to have framed this call to the Elders' Convention, to know that there was an organization formed there? That at least has the appearance of unchristian conduct; of unpresbyterian and unprotestant procedure. Again, Fathers and Brethren, I submit, how are the men who framed these memorials and confessed that they did not know that an organization was formed, to prove to you that they have been guilty of no unchristian conduct, no unprotestant or unpresbyterian behavior towards us? And now to go on (for I am wasting more time than I thought I would), the libel was preferred against us. This libel was unchristian and unprotestant and unpresbyterian. There was no reference in the libel to any declaration of the divine Word to which we had gone contrary, and that we believe to be the book of appeal of the Reformed Presbyterian Church. There was only in that libel a declaration with reference to our having followed divisive courses because of our Meeting in the East End on the the 22nd, or thereabouts, of July; and the statement was, that we had violated our Covenant engagements because we had formulated a certain article in that Platform.

Now, Brethren, that article has been before you. It contains nothing contrary to the declarations of our Testimony; it contains nothing contrary to the declarations of the Confession of Faith or the Book of Discipline. It binds every man who is to be received into our denomination or the body of Christ visible, to accept and believe everything that those books contain. And in the light of the plain declaration of that article, of that Platform, they libel us for the heinous sin and scandal of pursuing divisive courses. That is not Chris-

tian; that is unchristian, that is unpresbyterian.

But now to go on. It was unchristian, unprotestant and unpresbyterian for a court which was constituted in the name of Christ to allow them to sit in judgment on our case who had manifestly prejudged it. It is hardly necessary for me to go over this question. You have heard how those eleven men who were interested, or who signed the call for the Elders' Convention, sat in judgment on us. You have heard how that one man in explaining his vote said that he thought we were worthy of suspension because we were members of a secret society. Now I want to bring before your minds another fact that was brought to the attention of that court. One of these men who signed the call for the Elders' Convention.—I mean the man who represented the session of the New Castle congregation, W. C. Leslie (I think those are his

initials), in the midst of the jarring and worrying that was carried on with reference to our case, at one point of the proceedings, arose and said, "Fathers we are wasting time; I had better be at home selling goods. I am ready to suspend these men now." Brethren, that was before we had uttered a word in our defence. After he had made that declaration I arose on the floor of the Presbytery and told that man he belonged not to the liberty church, known as the Reformed Presbyterian Church, but to that church which rules the consciences of men, namely the Catholic Church. that man was allowed to sit during all the proceedings of our trial, and that man was allowed to cast his vote against us, thereby using his influence to suspend us from the ministry. Why did the Court allow these things? In the name of God I know not, unless it be to spread abroad throughout the Church the declaration of how unanimous the Pittsburgh Presbytery was in this action which they took against us. You have seen from these declarations that have been made from this Platform that it could not be otherwise than a unanimous verdict against us, when men were allowed to sit in judgment and cast their votes against us who had declared again and again that we ought to be put out of the ministry of the Reformed Presbyterian Church, and one of these had said he was ready to suspend us before we were tried. Is that unpresbyterian: is that unchristian?

Now. Fathers and Brethren, I shall not refer to the sentence that was imposed upon us, except to say that in suspending us upon the charge which they had preferred against us and of which they had found us guilty, they not only suspended us, but they suspended all laws founded on the Word of God. Ay, and they have suspended the Covenanter Church between heaven and earth as an object of ridicule to the Christian

world.

I am done, but ye know not what a burden I have had to bear. You know not what trials I have passed through. Talk about sleepless nights; my eyes have refused to close many and many a time. There are things that are sweet to us with which we are called at times to part. God help us all who need indeed his care. Brethren. I know the Shepherd loves his sheep.

The MODERATOR: Rev. J. R. J. Milligan now has the privilege of addressing the Court in support of his appeal and

complaint against the action of Pittsburgh Presbytery.

Rev. J. R. J. MILLIGAN: Dear Fathers and Brethren, I hope that you will be able to keep these cases separate. I want to say, by way of explanation, that the first person who presented himself here to prosecute his appeal and complaint was Rev A. W. McClurkin. He and I were tried at the same meeting of Presbyterv. I was tried last. Those who have followed Rev. A. W. McClurkin were all tried together in a

group. I was tried at the fourth meeting of Presbytery. They were tried at the third. Neither A. W. McClurkin nor myself was at the second meeting of Presbytery, and all this trouble about withdrawing the assent from the basis of agreement was at the second meeting; and, therefore, personally we know nothing about it, except what we get from the Minutes. With this explanation, and stating further that I hope you will be able to go back and place me beside Mr. McClurkin, and then you will perhaps understand more clearly the statements we together make. I propose to confine myself very closely to what I have written. So much has been said on all the points that might be brought up that I have cut out a great deal of what I had written, and will only speak of that which I feel ought to be presented in connection with my own case. And I wish to say this: that in coming before you with my appeals and complaint (really they are all complaints), against Pittsburgh Presbytery, I think I am sensible of the responsibility which lies upon you in deciding upon the justice or injustice of the lower court. Did I not, in my very heart, believe that injustice had been done me, I would not be knocking at your gate. But I am here seeking justice of you, the highest Court in our Church, praying that you may be guided by the Spirit of God. I suppose I need not tell this court that this is not a question for the Conservatives and the Liberals. The line cannot be drawn there. The merits of the question before the Covenanter Church are not to be discussed here. It is a matter of justice or injustice. No man has a right to say, "my sentiments are so and so; I will vote so and so." The merits of the case are not here at all. Let that be borne in mind.

I complain of the action of Pittsburgh Presbytery.

FIRST. Because the admissibility of the libel was sustained: in that, 1. When there were no witnesses to prove the specifications of the libel. On page 78, sec. 9, of the Book of Discipline, we read: "It is just and requisite that the names of all the witnesses known to the prosecutor at the time of the serving of the libel, who are to be adduced against the accused, be placed upon the libel previously to its being first served upon him." We look at the libel and read it over from first to last, from beginning to end, and there is not a witness named in it, not one. Nothing which is charged against me has a witness named in the libel whereby it may be proved. The purpose in having witnesses specified, and that which they are to prove mentioned, is that the defendant may refute the thing to be proven, or show the witness incompetent, and because the Court is required to give its decision on what the prosecution proves by competent witnesses at the time of the trial and in the presence of the Court.

You who have Books of Discipline, look at page 78, sec. 29: "No hearsay or second hand testimony (which is the same

thing) is to be received unless that which goes to prove the statements of deceased persons who would have been credible witnesses." If some person tells me something, I cannot appear as a witness as long as that man is living; if he dies, I may be a competent witness, but the Court can take into consideration how much weight to attach to even that testimony. You find that in sec. 28, page 78. Sec. 29, on the same page, says: "No private knowledge possessed by members of the judicatory shall be suffered to influence the decision, as that must be based entirely upon the evidence before the Court."

Thus we see that every fact which is to be used against the accused must be mentioned in the libel. The witness to prove that fact must be named in the libel before it is served upon the accused. A member of the Court may have known every fact mentioned in the libel, by one whom he considered truthful. But that must not be suffered to influence his decision, nor could his knowledge, gained in that way, be accepted by the Court as competent testimony, unless the one who informed him were dead. For everything in the Court which can be allowed to affect the decision must be proven in the Court by a competent witness, named beforehand in the libel. For until this be done it is hearsay or secondhand testimony, or private knowledge, which the Book says "shall not be suffered to influence the decision."

The fact, then, that this libel has not a single witness named in it renders it inadmissable; as a libel, to be admissible, it must have all the wittnesses placed upon it previously to its being served upon the accused. But without doubt the defence will cite you to the statements in the libel which are to the effect that all these charges mentioned in the libel have been admitted by me at the first meeting of Presbytery, and consequently the Court needed no further testimony. I ask this Court again to look at that libel and see whether those references are in the nature of evidence or in the nature of a charge. "As declared by you on October 15th, to which you did give your approval, in violation of your ordination vow." I think they are charges; they look as much like charges as evidence. But, if used as evidence it should have been so stated in the libel. They should at least have had the Minutes of Pittsburgh Presbytery as proof that we made statements.

You know the other evening when Mr. McClurkin was on trial, there was a question taken up in regard to a certain Minute to this effect: that the following persons, naming the seven, attempted a defence of their connection with the East End Meeting and Platform. Does that say that they said they attended a meeting? Does that say they said they published a platform or circulated it? "Their connection" is all it says. Why, their connection, so far as that Minute goes, might merely have meant they entertained some of those who were

at that conference. But they did not have even that statement in the libel, and thus the libel is wholly and totally

without any proof.

I maintain, however, that even those statements, made October 15th, 1890, at the meeting of Presbyterv referred to in the libel, were not admissible as testimony. It is a general principle in law that statements made for the purpose of settling a case can not be used as testimony on the trial of that case. Let me tell you how I came to make the statements at the first meeting of Presbytery. I will read you two items of the report of the Committee on Discipline. They come in that report after the Committee has set forth that, as the senders forth of the Platform had been designated in the papers as the "seventeen," "the minority at last Synod," "our brethren of the minority," "those attending the East End Meeting," &c., they found our names among the "seventeen" and "minority" on the Minutes of Synod, and hence our names are mentioned as possibly the guilty parties. Then this Committee recommended (page 132, of the Minutes of Presbytery) these two points: "1. That the consideration of their report be preceded by a season of reverent devotion and prayer to God, during which we engage ourselves to draw very near to the Searcher of all our hearts, and to cherish the most tender and fraternal regard among ourselves, and that we will faithfully follow the light which God shall youchsafe to us in answer to our humble prayers. 2. That following this hour of prayer an opportunity shall be given to the brethren named to make such statements in regard to the matters set forth in these memorials as they think best: that if possible by the most frank, open and candid expression of views and purposes we may come to see eve to eve, and mutual confidence be restored." Brethren, that season of prayer was engaged in. I myself was asked by the Moderator to lead the meeting in prayer, and as best I could I plead with God for light and guidance. Then when the hour of prayer was concluded I was the first to come forward. I had faith in those men, that they wanted to settle this matter like Christians. I knew that I had done nothing intentionally to mar the peace of Zion, nothing I was ashamed of, and so I went forward and said what I thought was best; and I am sure that I was "frank, open and candid." I was so because I thought I was dealing with honest men. Would it have been better had I not been so frank, open and candid? Would it? One of the seven, not having so much confidence in the men as I had, when he rose to make his statement said, he believed it was a scheme, and that the Committee would use our statements against us. at which the Chairman of the Committee arose and said, he thought the insinuation was unkind-But, gentlemen, you see for yourselves, if you will read the libel, that whether unkind or not, it is the very thing the Committee did. If to insinuate that the Committee would use our statements against us was unkind, then how shall we designate the act, when our statements are used against us?

I want you to notice:—1st. We were invited to make statements, so that by a frank, open and candid expression of views and purposes mutual confidence would be restored. 2nd. The statement that it was unkind to insinuate that the Committee was going to use our statements against us was a virtual agreement that our statements would not be used as evidence. 3rd. The fact that prayer was offered and devotional exercises engaged in for nearly an hour prior to our having the opportunity to make statements, for the purpose of "seeing eye to eye" and "restoring confidence," was a further pledge that it was not a scheme.

This then shows:—1st. That our statements were made for the purpose of settling the matter, and from a legal standpoint could not be used as evidence. Would not that render the libel inadmissible? 2nd. That morally the Presbytery was bound not to use our statements as evidence. Or it shows: 3rd. That Presbytery, in its committee, recognized neither legality in the case nor moral obligation, and that the recommendation and invitation that we should make statements was a scheme for the purpose of accomplishing that

which they could not accomplish in any other way.

Brethren, from a legal standpoint, and from a virtual moral obligation, our statements could not be used as evidence; hence it renders the libel inadmissible, as this was the only pretence of testimony which the libel contained. This brings

me to notice: SECOND. That I made no admission at the meeting of Presbytery referred to in the libel, either of the purpose or fact of following divisive courses from the doctrine or order of the Church. That I did make statements at the first meeting, I did not deny, when I came to be put on trial, nor did I admit. It was three months between the two meetings of Presbytery or just about three months. statements which I made at Presbytery were for the purpose of settlement. I was under no obligation to verify the statements in the libel, but felt that they were under obligation to prove what I said; hence I made no admission. Therefore, when I refused to admit the specifications in the libel, it was necessary to have testimony. This would be necessary even if the Court was made up of exactly the same members as at the previous meeting. If the members of the fourth meeting of Presbytery had been the very same as were at the first meeting it still would have been necessary. But, to add to the necessity for having witnesses, there were five members of the Court which was trying me who were not present at the meeting of Presbytery referred to in the libel, and these could not know what I had said, or whether I had said anything,

except from hearsay or secondhand testimony which the Book says shall not be suffered to influence the decision, nor shall private knowledge be suffered to influence the decision. asked the Court, in view of these facts, to bring forward their witnesses, if they had any, and prove to the whole Court, and especially to these five, that I had said what the libel allegesto have been said by me. They did not do it. They could not do it for they had not specified in the libel the name of the witness who would testify to my statements, and no one can testify, as I have read to yor, if his name is not mentioned in the libel. Hence the libel was inadmissible, for there was no witness to prove what they expected me to admit. the Court allowed these five members to sit in judgment in my case and vote against me, was unjust, is evident from the action of the Court later on. For when the case of A. W. McClurkin came up, which was immediately after mine, these men asked to be excused from voting on his case, and Presbytery granted their request. In the records of Presbytery, page 155, you read this record: "The following were excused from voting, as they were not present at the meeting of Presbytery referred to in the libel as being the one at which Rev. A. W. McClurkin had made statements as to his connection with the East End Meeting and Platform, viz: Blair, H. H. George, J. L. McCartney, William Pearce, and W. D. Shaw." Notice, the meeting of Presbytery referred to in the libel against Mr. McClurkin was the very same meeting referred to in the libel against me, and if Presbytery saw the propriety of excusing these men from voting on Mr. Mc-Clurkin's case, because they were not present at the meeting of Presbytery referred to in the libel, then how could they vote on my case? Both of us were charged with making statements to the same effect. Yet. Presbytery saw the propriety of excusing them from voting on one case, and the very same circumstances exist in the other case, viz: they were not at the meeting of Presbytery referred to in the libel. Does not this show that in neither case was the libel admissible? Is it not an admission that there was not a witness to prove one single specification or charge in the libel? Hence, I appeal and complain against the admissibility of the libel being sustained. because there were no witnesses to the specifications in the libel, and when even that which they claimed. as testimony was really one of the charges; and when even if intended as testimony, it should not be admitted either from a legal or moral standpoint; and when I positively deny having made statements which involve me in the admission of the purpose or fact of following divisive courses.

II. But I appeal and complain, again, because the relevancy of the libel was sustained on the ground that following divisive courses was censurable. So much has been said in regard to the relevancy, and when, as you have already heard read from

the Minutes, the Moderator refused to give any ruling except to read from the Book, I will pass this whole question of

relevancy by, and come to my third point.

III. I complain that I was convicted of the sin and scandal of following a divisive course without a fair trial. 1st. "In that two members of the Presbytery voting against me were not at the meeting of Presbytery named in the libel and could know nothing regarding the alleged admissions, except from hearsay." Now when I prepared my appeal and complaint I did not have the Minutes, and I only remembered that two members not at the fall meeting voted against me. When I obtained the Minutes I found there we four. Four members voted against me that never heard what I said at the first meeting, and never had a particle of proof of what I said. These, as their names are found in the Minutes, were: H. H. George, J. L. McCartney, William Pearce, the elder from Beaver Falls, and W. D. Shaw, the elder from New Alexandria. (Page 155, Minutes of Pittsburgh Presbytery.)

It may be said that these members not voting would not have changed the decision; that the libel would still have been sustained. I grant it. But I ask if it is fair for a court to allow men to sit in judgment and vote on a case when the court knows that these men have not one particle of evidence before them on which to base their decision except hearsay or secondhand testimony, or private knowledge which, the Book states, "shall not be suffered to influence the decision."

The attention of Presbytery was called to this matter when the admissibility was under discussion. The Presbytery judged them competent to sit as members of the Court. asked, how could they decide on my case? While I maintained that it was necessary to prove to every member of the Court the facts or specifications of the libel, yet it is most certain that the persons not at the meeting of Presbytery referred to in the libel should have the facts proven to them by competent witnesses, or be adjudged incompetent to sit as judges in the case. These men, before God, are guilty of an injustice to me, and Presbytery is accessory to that injustice, abetted their crime, and are to-day guilty of violating the very aim and end of discipline, viz: to bring the offender to reform:tion. I put it mil lly, very mildly, when I say it was unfair for them to do it, and unfair for Presbytery to allow them, especially when they asked to be excused from voting on Mr. Mc-Clurkin's case, and Presbytery granted their request, "because" they were not present at the meeting referred to in the libel as the one at which Rev. McClurkin had made statements as to his connection with the East End Meeting." Yet I made my statements at the very same meeting of Presbytery that Mr. McClurkin did.

2nd. There was no evidence that I ever named the Platform elsewhere than in the Presbytery at its demand and request,

or that I ever circulated it or advocated any position named in it, or in anywise pursued a divisive course in connection therewith. I want to modify the statement by taking out the word "demand" and leaving it "at its request." So far as this is concerned it might be settled by simply reaffirming what I have already said. There was no evidence to prove anything; but furthermore, the Presbytery could not prove it if thay had tried to. I did not follow a divisive course with the East End Platform. The prosecutor in my case was one of the listeners at my preaching, and he did free me from the charge, or whatever you may call it, of preaching the East End Platform principles in my pulpit. My elder, who voted against me straight, said the same thing in regard to my preaching, and the only way that Presbytery secured my name was by going to the records of Synod and finding I voted with the minority, and in favor of union, at last Synod, Again, I ask if the trial was a fair one, since without a particle of evidence that I had followed a divisive course with reference to the principles of the East End Platform, they found me guilty of following a divisive course.

complain and appeal from an unfair trial,

3rd. Because there was no evidence that I was connected with an organization which had planned or purposed following a divisive course. That I was a member of an organization which had for its object the overthrow of the Church, was publicly charged against us. (See Minutes of proceedings and call for Elders' Convention.) And the prosecutor made that assertion in the trial. But there never was brought forward one particle of evidence to prove it,—not one particle; and besides we were not charged in the libel with having an organization, but that Presbytery considered there was such an organization, and that this influenced the decision was believed by us all along, and our belief was strengthened when we read the Pastoral Letter. (See March number R. P. & C. page 90.) This letter say: "The following facts also came before the Court: 4th. That the East End Meeting as proved by its own official minutes effected a permament organization on the basis of the Platform then and there adopted." Whatever else the writer means by this statement, it shows clearly that the idea that there was a permanent organization was in the mind of the Presbytery and influenced its decision, and is here brought forward to justify the Presbytery in finding us guilty of following a divisive course and suspending us from the ministry.

But I want to call the attention of this Court to these facts: 1. To the fact that the libel does not specify as one of its charges that there was an organization; hence it should not be allowed to enter into the decision of the case. You all understand that. 2. That the official Minutes, if there is such a thing, (or any other Minutes connected with the East End

Meeting), never came before the Court as evidence or anything else. Hence I made the assertion that there was no evidence brought before the Court that I was connected with an organization which had planned or purposed following a divisive course. But on the other hand, to offset the insinuations and the statements that there was an organization, five of the seven declared that they never considered there was an organization. I produced the sworn statement of the chairman of the East End Meeting to that effect, that there was no organization. And yet without any evidence to support what they had come to believe from hearsay, Presbytery, as shown by the Pastoral Letter, did allow it to weigh in their dicision, and many in the church to-day believe that there was an organization, and that its official Minutes were in evidence in the Court at the time of the trial. Hence, I say, that whatever the decision might have been, had it been proven that there was an organization, without that proof the decision is certainly an unjust decision and renders the trial unfair.

4. In that the prosecutor in the case and the assistant clerk of Presbytery, both regular hearers and attenders of my preaching, testified to my fidelity in the pulpit in maintaining the peace and unity of the church, which was confirmed by 178 members of my congregation and 38 adherents, who further testified to my fidelity in maintaining the doctrines and order of the church in session and in pastoral work. ought not perhaps to say that the prosecutor and assistant clerk testified; they were not brought forward as witnesses, but in the first meeting of Presbytery, at which I did make statements, I appealed to them to verify what I said,—that I had never preached the principles of the East End Platform in the pulpit, and they both rose and gave testimony to that effect in that way. I mentioned this to show how unfair it was to first imagine that my purpose in attending the Meeting was "To seek the abandonment by the Church of her distinetive principles and practices," and then when I proved by 216 witnesses that my conduct in the pulpit and pastoral work, and in the session, had been to preserve the peace and law and order of the church, to follow their imaginations up with a trial, and then, without a particle of evidence, find me guilty of following a divisive course and suspend me from the ministry because unsafe to have in any congregation until Synod, is not fair. Are 216 witnesses against nothing not to weigh a particle? But again,

5. Members of the Presbytery in giving their reasons for sustaining the libel showed clearly that they had prejudged the case in that they did not consider the strict merits of the case, but voted simply on general principles without due regard to what was brought forward at the trial. Now the reasons that men gave for voting on the case were not recorded, and I cannot go and bring up anything that was not

recorded. But when you know that there was no evidence, no testimony, at the trial, how could the decision be according to law and evidence? When there was no evidence, the case must have been prejudged. It had to be decided without due regard to the specifications in the libel. But further, when you know that from many of the congregations (I believe about seven), memorials have been presented which accused the framers of the East End Platform with heresy and covenant breaking, and breach of official trust, and insubordination, and following divisive courses, it is not hard to conclude that the matter was already decided in their minds, that if we prepared the Platform, we were guilty of following divisive courses, since that was only one of the five crimes for which we were already condemned. When I tell you still further that many of the elders constituting the Court were members of the Elders' Convention, had signed its call, had participated in its decisions and discussions, where it was already decided that those who adhered to the principles of the East End Platform should have ecclesiastical decapitation and their ecclesiastical relations severed, is it then hard to decide that these men prejudged the case and decided without reference to what was brought out at the trial? They could not help but have done so since nothing was proven at the trial, and all were more or less involved in the steps which precipitated the trial.

I leave then your decision on this part of the case by summing it all up in one statement,—there was no evidence to prove anything. Not a single witness was called; not a single particle of testimony adduced. Nothing was admitted by me. Hence the case was prejudged, and men based their decision on hearsay, secondhand testimony, or private knowledge, which, and I quote again from the Book, "shall not be suffered to influence the decision;" but the Book distinctly states that the decision must be rendered upon the evidence before the Court. Brethren, I may be a heretic and a covenant breaker, guilty of a breach of official trust, and insubordination, and following a divisive course, but I beg of you, for my sake, for your own sake, for Christ's sake, and the sake of His holy religion, give me a fair trial. Bring a libel against me that has witnesses to prove the charges. Do not let men sit in judgment against me who have not one particle of evidence on which to base their decision. I ask that, and that is what I do ask. If you want to reclaim me from my alleged sinful way, deal with me fairly; deal with me legally; deal with me as a man. I stand here to-day, as I stood before Presbytery, ready to make any just concession, ready to make any atonement in my power, if I can be made conscious of any crime; but when a court of God's house proceeds against me, at every step in violation of the law of the church and of justice, I am only embittered. And I say here, that this case, as conducted by men than whom there were none in whom I had more implicit faith and trust, has embittered my whole life; has tended to set me against the church and against those very principles which I hold most dear and precious. I did every thing I could to get this matter settled peaceably and in such a way as would be for the best interests of the church. But even my own familiar friends, on whom I did rely, with whom I had taken sweet counsel to God's house, with whom I had spent sweet hours of Christian fellowship, these I found plotting my hurt, and treating with contempt my prayers and strenuous efforts for peace and resonciliation.

And this brings us now with our complaints to the end of the trial. I had expected that the case would of necessity stop here; that my pledges, given in the basis of settlement and adhered to, to the very close of the case, and especially my appeal from the decision of the court when the decision was given, would have sent me back to my people until the meeting of Synod anyway. But I am compelled to complain

further against Presbytery.

6. Because the suspension was unjust and severe. First.— In that I was suspended without any proper trial of my guilt. I have a good deal written here. I am only going to stop long enough just to say a few words. Without "a proper trial of my guilt." Trial! A trial without witnesses! A trial without evidence! A trial without anybody to prove one single specification! As another has said: "In the name of Holt, and Somers and Jay, and Hale and Erskine, I protest against the name." Trial! It was only a concerted action on the part of Pittsburgh Presbytery. That is all. And guilt! Of what am I guilty? What sin have I committed? They said I broke a law of last Synod. The libel does not specify even that. What weight should it have had then in the decision? Had I broken the law of last Synod in regard to "teaching and publishing sentiments contrary to and subversive of the well established principles of the church," why was not I acgused of it and tried for it? But they never mentioned it there, not once. I say it was not a trial.

But I complain against the suspension as unjust and severe, Second.—'In that it was inflicted after an appeal had been made from the conviction, which other Presbyterian bodies declare necessarily suspends all further proceedings, and which our own Book by omission leaves to the common law of Presbyterianism.' I made one mistake there, and I will correct it. I said, "our Book, by omission leaves it to the common law of Presbyterianism;" I made that statement on the strength of the statements of members of Presbytery. But I find that our Book has a law on that point, and the strongest of any book, and that our suspension, after we had taken an appeal, was a most direct violation of our own Book

of Discipline. Our Book of Discipline, page 80, sec. 1, says: "An appeal is the removal of a case already decided by an inferior judicatory to a superior, by the party agrieved." There is no exception whatever,—"an appeal is the removal of a case " That ought to settle it. "By a party agrieved." It doesn't mean that when an agrieved party appeals from a decision that the court can proceed to the next step in the trial. No, sir, not for a minute. It means that an appeal removes the case to the next superior judicatory. If I can understand the English language that is what it means. According to our own Book when I appealed from the admissibility, which I did at the time, the case should have gone to the next higher court. Or, when I appealed from the relevancy, which I did at the time, it should have gone to the next higher court. But especially is this true when I appealed from the conviction. The trial was over then. The verdict was rendered. My appeal, according to our own Book, should have removed the case to the next superior judicatory. Now, think of a man tried for murder and found guilty. He appeals to the next higher court, but the court which has found him guilty of murder says. He is guilty. The punishment for murder is hanging. He may appeal to the next higher court, but we are going to hang him, and hang him they do before the next higher court has met and decided whether the lower court's finding was right or not. That is just what Pittsburgh Presbytery did when it suspended me after I appealed from their decision, and that right in the face of a law which in their own Book says, "an appeal is the removal of a case."

But we appeal to the law of Presbyterianism, and I am not going to go back of that. The Presbyterian and United Presbyterian books are about the same. We will quote from the United Presbyterian Book of Discipline, of 1880, page 65, sec. 2, under appeals. It says: "Appeals may be made either from a definitive sentence as unjust or mistaken, or from any particular step of the proceedings." This proves that I could take an appeal from admissibility and relevancy and remove the case, since the United Presbyterian law agrees with our Book, that an appeal is the removal of a case, and that an appeal may be taken from any particular step of the proceedings. And further, on page 657, sec. 11, of the same book, we have the following: "The operation of an appeal is to suspend all further proceedings." Do you want anything more definite than this. I repeat it: "The operation of an appeal is to suspend all further proceedings:" and, "an appeal may be made from any particular step of the proceeding." This then would have stopped the trial on my appeal from the admissibility alone, or relevancy alone, or verdict alone. There is only one way to avoid this, and I am going to give you the matter straight. On page 657, sec. 12, of the United Presbyterian Book, it says: "In cases where the admission of an appeal would necessarily and injuriously delay process it is competent for the inferior court to refuse to admit an appeal, and having done so to proceed with the trial." That is, if my appeal from admissibility or relevancy would have delayed process, they could have passed a motion to refuse to grant me an appeal, and could have gone on with the trial. And I want you to mark the word "trial," not with the "execution." But they would have had to refuse the appeal by motion. Did Presbytery refuse my appeals? No, not one. The Minutes rscord them just as taken, and when taken. Not one single appeal was refused. Still, Pittsburgh Presbytery went right on, not only with the trial but with the execution, contrary to our own law, and contrary to United Presbyterian law.

But I am going to go a little further with you. There is more law on this question. In the United Presbyterian Book, under art. 3, sec. 2, we read: "The operation of an appeal is to suspend all further proceedings on the ground of the sentence appealed from. But if a sentence of suspension or excommunication from church privileges, or of deposition from office, is the sentence appealed from, it shall be in force until

the appeal be issued."

That is, if I had waited until they decided to suspend me, and appealed then, I could not have stopped it. That is simply common sense. But I appealed before that. I appealed from the sentence when they found me guilty of following divisive courses, and that stopped the proceedings. This was quoted in the R. P. and C., of May, to show two things. First, that the suspended men had no right to preach in churches of other denominations. You can have the benefit of the logic. And, second, that our appeals would not remove the case or stay the execution of the sentence of suspension. Why, of course, had I allowed the admissibility to pass without an appeal, and relevancy to pass without an appeal, and the finding of the Court that I was guilty of following a divisive course to pass without an appeal, and then the Court had entered judgment and decided I should be suspended, then my appeal would not have stayed the execution of the sentence. But that is not pertinent to my case. I appealed three times before that, and the United Presbyterian Book says, "The operation of an appeal is to suspend all further proceedings." It should have been suspended when I appealed from the admissibility, and from relevancy, and from finding me guilty.

It makes an exception,—had I not appealed until they moved what sentence should be pronounced against me, and the sentence had been admonition or rebuke, I could not have stopped it then; and the only reason why they have said it cannot stop suspension or deposition from ministerial office,

and all that, is because suspension should be only executed in cases of immorality, or very flagrant cases of sin and scandal. (See page 647, United Presbyterian Book of Discipline.)

A suspension is not to be for every little trifling offence. The Book says: "This censure becomes necessary when very gross offences have been committed; or when not withstanding admonition or rebuke the offence is repeated or persisted in; or when probation is necessary to attest repentance and reformation." "Very gross offences!" And yet we were told that we were moral men. It is very pertinent here to ask the question, How moral can a man be when he is guilty of heinous sin and scandal?

I notice, that my suspension was unjust and severe, Third. Because it was inflicted in the face of an almost unanimous request of my congregation to continue my labors, coupled with its testimony that my work and life among them had been in strict conformity with all the laws of the church. Had I been charged with immoralities, or with an act of wickedness, my congregation would not have done that. There is no excuse for Presbytery's severe course. Had my congregation intimated to them that I was preaching and teaching that which was contrary to the laws of our church: or had they intimated that in order to maintain peace and harmony in the congregation my removal was necessary; or had they even remained silent when they saw that Pittsburgh Presbytery was likely to remove me from them, you might condone the act of Presbytery. But when they petitioned Presbytery to allow me to remain with them; when they testified to my lovalty to the church in the pulpit, in the session and in pastoral work, surely there was no reason for Pittsburgh Presbytery taking such a severe course with me, which course, whatever may have been their intention, has scattered the people like sheep without a shepherd, and I fear placed some of them where they can never be reclaimed to our church or to any other church.

I want this Court to know that I do not consider myself one whit responsible for the condition of that flock, which I loved and which I have reason to believe loved me, and which I have borne on the sweet wings of prayer up to God's throne more fervently than ever since I was separated from them, and they from me. And I ask myself, wherein is God glorified, or the church benefited, by this unjust and severe censure which Pittsburgh Presbytery saw fit to inflict upon me, and upon them also? What have I done to merit such chastisement? May God give you light to see the wrong that has been done me and the church and the congregation in this course of the Presbytery which suspended me contrary to every law, both of our own Book and the common lawof Presbyterianism.

But it is still further unjust and severe, because, Fourth.—
I was deprived not only from performing ministerial duties,

but also from membership privileges, though no immorality was charged against me, and when the only offence was the having an opinion, which I never propagated, and which I had agreed not to propagate in any disorderly way. Does this Court know that we disavowed the East End Platform as a bond of union, or as anything else than a private opinion? Do you know that we re-engaged to maintain the discipline of the church on all matters within our jurisdiction? Do you know that we engaged not to propagate any of the views set forth in the East End Platform in a disorderly way? All this we did at the request of the Judicial Committee, as a basis of settlement, in order that confidence might be restored and peace and harmony prevail, and that we might go on laboring together in the church. To this basis of settlement we adhered to the end of our trial. I know another basis was proposed which I did not accept, (and I want you to notice this), because, 1st. It required me to withdraw from an organization which I had over and over again told them I did not know was in existence; and 2nd. It required me to express sincere regret for my connection with it, when before my God I knew I had never had any connection with it, and which, so far as I knew, existed only in the imagination of some persons and in the call for the Elders' Convention. It seems to me now that it will not be hard for this Court to see that in my taking the second basis of settlement I would have had practically to perjure myself, and the Presbytery ought to have known it, and if they had taken a second thought they would have known it. And still they suspended me.

Let me call your attention here to this fact. The only differences between me and Presbytery were these two clauses which required me to withdraw from an organization and to express sincere regret for connection with it, when they had never proved there was an organization. Why didn't they try me for belonging to an organization and settle it on that score? And all the rest would have been settled. No, sir! They turned right around and libelled me for following a divisive course. They ought to have tried me for belonging to an organization, for that was the only point at issue. still they suspended me - suspended me from the ministry of the church. Though no immorality was charged against me, though it was said to us that we were not charged with any immorality, yet I was deprived of sealing ordinances and treated like a felon. as though I were guilty of immorality. Brethren, I was deprived and shut out even from leading in prayer, in my own prayer meeting. It may seem a very small matter to Presbytery that I am accused of a "heinous sin and scandal," and they may smooth it all over as "only a form of libel." It may seem a very little thing to be deprived of sealing ordinances. It may seem to them that for the sake of a settlement I might have accepted the second basis, which

would have been an acknowledgment of something that was false, a vindication of a lie, and a false testimony against my own character and veracity forever. It may seem a small matter to be cast out of the church and classed with adulterers and drunkards. But heaven knows the difference, and despite their determination that in the eyes of other Christians we should so be classed, the hand of Christian charity was extended, and the verdict of other denominations was a discrimination between us and those who had been suspended from our church for the aforesaid crimes; and that was all that saved some of us from being driven to doubt that there was any love of Christ shed abroad in the hearts of his professed people, and perhaps, too, saved us from abandoning the work of the ministry altogether.

(The hour for devotional exercises arriving it was moved and seconded that the speaker be allowed to continue until he

should finish his remarks, which was duly carried.)

Rev. J. R. J. MILLIGAN: Think of it, Brethren! Suspended for an opinion which we would hold in an orderly manner! Suspended from the Reformed Presbyterian church for an opinion about subordinate standards! Classed with adulterers and drunkards because we would not declare a lie. Gentlemen, members of this Court, I know the Christian world and the Christian church well enough to say that if you can afford to have this done with your sanction and approval, so can I. But, as a Court of God's house can you allow such high-handed procedure upon the part of Pittsburgh Presbytery? Remember you constitute a Court of Christ, who is the Head of the church, and who is to be glorified in all your dealings.

But I appeal and complain,

6. Because I was deceived by the Judicial Committee, in that I was given to understand that it was a Commission having full power to settle the matter. To discuss this point and the next one is a duty which is forced upon me. The men composing that Committee were men in whom I had every confidence. Three of them had stood in specially close and intimate relationship to me. Their promise was to me as good as a sworn statement, or a written and signed agree-I could not believe them capable of doing a dishonorable thing, and I trusted them in the settlement of this matter to an unlimited degree, and would not and could not think of them what I am now forced to charge against them-It might be well to state to this Court a little more clearly that there were four meetings of Presbytery connected with these cases of suspension. 1. The regular meeting in the fall, where we, who are now suspended, were asked to make statements, which were afterwards used against us, and which appointed a Judicial Committee. 2. The meeting held to consider the report of that Judicial Committee, and which authorized the Judicial Committe to prepare libels against

the five who were present at that meeting. Mr. McClurkin and I were not present at that meeting. 3. The meeting which tried the five and ordered libels against Mr. McClurkin and myself. 4. The meeting at which I was tried. The first meeting of Presbytery authorized a Judicial Committee (page 136 of the Minutes of Presbytery) to make further efforts to agree upon a basis of settlement, and "if successful to call a special meeting of Presbytery for its consideration; if such endeavor prove unavailing, then the Committee shall have full power to call witnesses before them, ascertain theacts, and if found necessary, frame charges and call a special meeting of Presbytery and cite the parties to appear." That

is a good deal of authority for a Committee.

The Committee met on December 22nd, in Dr. J. W. Sproull's church, in the morning, and prepared a basis of settlement. Six of us met this Committee in the afternoon and accepted the basis of settlement as drawn up by that Committee without a word being changed. The Minutes have this record concerning the meeting, (page 136): "After a full and free conference, with a view to the restoration of harmony and confidence between brethren, the following statement was agreed upon, with the cordial approval of the brethren named in it: Revs. E. M. Milligan, J. R. J. Milligan, O. B. Milligan, H. W. Reed, W. L. C. Samson and H. W. Temple, being interrogated by the chairman, each and severally gave their assent. The statement is as follows: 1. We disayow the East End Platform as a bond of union within the Reformed Presbyterian church and as other than an explanation of individual opinion. 2. We engage to abide by the existing laws of this church as to voting at civil elections and holding office, and to carry them out in the exercise of our office. We engage not to propagate views contrary to the above while holding the position of ministers of the Reformed Presbyterian church." Now, it is with regard to this I complain. I was deceived in that I was given to understand that it was a Commission having full power to settle the matter. I understood this before I went to the meeting, and that which was done at the meeting confirmed my belief.

To begin with, after the meeting was opened with prayer, the chairman arose and said to us that they had met in the morning, had prayed for divine guidance, had formed a basis of settlement which they had agreed to ask us to sign. He said, "there is nothing behind it;" that they had endeavored to frame it with a view to reconciling all parties, and that our signing it would, "settle the whole matter." Believing it to be a Commission, I felt there was "nothing behind it," as the chairman stated we must make a strong effort to agree together and accept the basis. Consequently, believing it would settle the whole matter, we, as the Minutes say, (page

136), "each and severally gave assent."

What was the meaning of the statement that there was nothing behind it? What did the chairman mean when he said our acceptance of this proposition would settle the whole matter. Did he mean to give out the idea that it was a Commission? We have a right to believe he did, for it was afterwards brought out that in the morning when he opened the meeting he constituted it as a Court or Commission. chairman thought it was a Commission himself, and with that idea told us, our acceptence of their proposition would settle the whole matter. After we had accepted that basis he said to me, "Well, my brother, we can still be laborers together." Is there no importance to be attached to all these things? Are they matters that can be brushed aside with the hand or pen at a moment's notice? We thought we were dealing with honest men. We went to that meeting fresh from a prayer meeting. I am not sorry that I accepted that basis, or that I trusted these men, although I may suffer here on account of their action.

But I complain against deception, "in their giving us the right hand of fellowship upon our approval of the basis and expressing their great satisfaction that the affair was so amicably settled." Now we did consider that the right hand of fellowship, because we thought it was a commission, and that the affair was all settled. They did all take our hands very warmly, except one, who said at a later meeting of Presbytery that he took it very reluctantly, because he thought we were laboring under the idea that it was a commission. Well, you can attach whatever importance you wish to his believing that we thought it was a commission; but I think it shows that there was sufficient cause for us to so believe. Their own Minutes of the meeting have the following item: "After fraternal salutation the brethren retired and the Committee proceeded to finish its business." Now I like that expression, "fraternal salutation." I do think that the right hand, extended after a basis of settlement was agreed upon by the Committee, called a "fraternal salutation," was at least a pledge that, so far as they were concerned, they, as members of the Committee, would stand by us in endeavoring to have Presbytery accept the basis, and settle the matter. But they did not do it, and I am forced to complain,

7. Because of the breach of faith on the part of the Committee:—1st. In that one of the members of the Committee introduced resolutions at the next meeting of Presbytery which nullified the agreement at the Committee meeting. I have told you that the chairman of the Committee said there was nothing behind their "statement," and that our approval would "settle the whole matter," and that they gave us the right hand in fraternal salutation, upon our acceptance of the basis.

We turn to the Minutes of Presbytery, which met to con-

sider the report of the Committee (that is the meeting of Presbytery I was not at), and on page 137 we read: "The report was accepted, and while a motion to adopt it was pending, a member of the Court submitted a series of resolutions, and proposed that they be considered in connection with the report, which was done." That is this series of resolutions, introduced by that member of the court, were to be considered in connection with that basis of settlement to which we had already agreed. That member of the Court was a member of the Committee, and its Secretary, and he gave us his right hand in fraternal salutation; he allowed the chairman of the meeting to say for him that there was nothing behind the basis agreed upon. And yet he brought in something behind it. He came to Pittsburgh Presbytery about two weeks after with a series of resolutions in his pocket, and he proposed that they should be considered in connection with their report: and he tries to conceal himself behind the Minutes of Presbytery, that he introduced these resolutions "as a member of the Court." I leave that there.

But further, the Committee as a whole is responsible for the act of one of its members, when they allowed it. The Committee gave us a pledge that that basis settled the matter, and still allowed a member of that Committee to keep it from being settled on that basis alone. Had this member of the Committee, of whom I have spoken, objected at the Committee meeting, he might have been allowed to bring in a minority report. Or had "a member of the Court," not a member of the Committe, presented these resolutions then the Committee would have been blameless. But when they settle the matter, assure us there is nothing behind it, give us their hand in fraternal salutation and let us go free, then I claim, it not only reflects on the integrity of the member of the Committee who presented the resolutions, but it reflects on the whole Committee. That act was a breach of faith, for which the young men ought not to be made to suffer, and I believe there would have been no trouble in having the Presbytery accept the basis, had these resolutions never been presented, and had the members of the Committee stood by their agreement with us. I need not stop long to inform you what influence that Committee has in Presbytery. Why, they are almost the Reformed Presbyterian Synod.

But this brings us to the second point under the breach of faith:—2nd. In that when the basis agreed upon at the Committee meeting was laid on Presbytery's table awaiting my action, the Committee, through its chairman, recommended another basis of settlement, which I was asked to accept without any explanation as to the meaning or force of terms. It may not be known to you that I was absent from the second meeting of Presbytery. Yes, it is; I have told you three or four times. I was absent from the meeting of Presbytery at

which this basis of agreement was considered, and when, because of the resolutions of a member of the Court and of the Committee, the young men were said to have withdrawn their assent to the basis of agreement. (Page 138, of the Minutes.) When this was done it was resolved that the Committee be continued with full power to prepare charges against the young men who had withdrawn their assent.

Now here comes in a Minute I want you to notice. It reads thus: "J. R. J. Milligan and A. W. McClurkin not being present, the report, so far as it relates to them, was laid upon the table for the present until the Judicial Committee report at the next meeting of Presbytery." You notice, the report, so far as it related to J. R. J. Milligan (that is me), was laid on the table. I want to know, in what way that report related to me? In what way did that report relate to me? Why was it necessary to lay it on the table "so far as it related to me?" Well. I can see no reason for that action unless it was to see whether I would withdraw my assent, as the rest had done, or whether I would still adhere to it. That looks like common sense. All the relation it had to me, was whether I would adhere to it or withdraw my assent from it. It seems that the Presbytery was willing to offer it to me, and if I still adhered to it, allow it to settle the matter so far as I was concerned. Now, this is what I thought. And more, I thought the young men were hasty in withdrawing their assent because of those resolutions, and I determined to adhere to that settlement to the very end, resolutions and all. That was my determination, and I did it too. But, was I allowed to do so? No, not at all. They will tell you before we are through here that that basis was not accepted by Presbytery, and never offered it to me. They did not allow me to accept that basis which was laid on the table "so far as it related" to me,

I want you to notice that the other young men, before going on trial, at the third meeting of Presbytery, offered a basis of settlement, virtually the same as the old one; but the Presbytery again offered the old basis, with two additional clauses, which they deemed necessary, at that stage in their case. The young men, however, refusing the basis offered by Presbytery, were tried and found guilty of following divisive courses. Thereupon, the Committee, through its chairman (see Minutes of Pittsburgh Presbytery, page 147), recommended that inasmuch as Presbytery has adopted its own basis of settlement and order of procedure, your Committee unanimously recommend it to be substituted in place of that reported by us at the last meeting. Now, that seems a very plausible recommendation on the part of the Committee. But what right had the Committee to recommend a new basis for me, when I had never withdrawn my assent from the old? If the young men were libeled because they withdrew their assent, as was published by the clerk of Pittsburgh Presbytery, and the old one laid on the table so far as it related to me. I do claim it a breach of faith on the part of the Committee even to recommend that a new basis should be given to me, when I had never withdrawn my assent from the old basis, and when it was lying on the table awaiting my action. I have a right to claim it as a breach of faith. I have a right to claim that the basis was laid on the table to see if I would still adhere to it. Members of the Presbytery had the very same idea. The clerk of Presbytery, if he were here, would testify to this that he said, I ought to be allowed to settle on the old basis. An elder of Presbytery, I think I saw his face, he is sitting over here, although not a member of this Court, told me afterwards that I ought to have the old basis of settlement. The man that prosecuted my case, and prosecuted the case of the five, when I said to the Court that I would still adhere to the basis of settlement, as agreed upon by the Judicial Committee, rose and said: "I told you you had no right to assume that Mr. Milligan and Mr. McClurkin would repudiate the basis because the rest did." This goes to show, not only that he considered I would still adhere to it, but that the Presbytery had virtually accepted it, and it was only the Secretary of the meeting who rose and told me that Presbytery never offered it. The prosecutor said, "Oh." Further, the two clauses which were added to that basis were known by the Committee and the Presbytery to be such that I could not assent to it. I had told that Committee, and I had told Presbytery, more than once, that to my knowledge there was no organization. How could they, as honest men, ask me, as an honest man, to say I would withdraw from an organization and express sincere regret for my connection with it? How could I be sincere in doing what they asked me to do, when sincerely I did not believe there was an organization at all, or that I was connected with one. It was absolutely ridiculous, if not criminal.

Why should they first propose resolutions in connection with the basis, which would cause five of the seven to withdraw their assent, when there was nothing behind it? And why, when they saw the other two of the seven were willing to swallow resolutions and all, did they take up the old basis and add two more clauses which they knew we could not accept, and offer that to us as a basis of settlement? It does seem to me that the Committee was determined that the case of the seven should not be settled short of our suspension from the Church, or our degradation from the standing of honorable men. From the time they asked us to engage in prayer with them previous to our making statements for the purpose of settling the matter, it was one continual betrayal on the part of that Committee. They took our statements as evidence against us, after saying it was unkind even to insinuate they might do it. They made a basis of settlement. When they found we would accept it they nullified it by adding resolutions. And when they found the other two were going to take it with resolutions and all they then put in conditions which they knew we could not, as honorable men, accept for a moment. The prosecutor in my case, when I referred to this in my trial, said he was sorry I based my reasons for not accepting the last basis on my manhood. Well, Brethren, I regard my manhood and my integrity as a man of truth, above relationship with any Court which requires me to

sacrifice it in order to remain within its pale.

Brethren, I have endured much. I have seen my congregation being scattered and driven away. I have felt my faith in man being broken and my feet about to slip at times out of the path that follows hard by the still waters of God's grace. But I thank Him who is my Saviour and Redeemer, my God and Redeemer, my God and my Guide, that never once have I felt that smitting of conscience which comes from a consciousness of wrong doing. I may have been unwise and indiscreet, and if so I do most sincerely regret my folly and indiscretion. But that anything which I have done was intended to bring this havoc on the church, or this terribly embittered feeling among brethren, I stoutly deny. God may be glorified and His Church built up, even out of these dark days and crooked ways and rough places, is my earnest prayer; and that God may enable you to do justly, and give a wise decision and righteous judgment, as between me and Pittsburgh Presbytery, is the prayer of your humble servant and complainant. (Recess was then taken.)

AFTERNOON SESSION.

Thursday, June 4th, 1891.

The MODERATOR announced that the Court was ready to

proceed with the pending business.

Rev. E. M. MILLIGAN: When I was making my address I started to make a statement and was challenged. I withdrew the remark at that time, with the understanding that I would again have the privilege of coming before this Court to state what I had to say on that matter. May I have the privilege at this time?

The MODERATOR: Yes. sir.

Rev. E. M. MILLIGAN: Mr. Moderator, Fathers and Brethren, in my address to the members of this Court I was referring to the fact that many members of Presbytery, and the large majority of the members of the Commission or Committee, were of opinion that that body was a Commission and was so appointed by the Presbytery. I referred to a member of that Committee, and mentioned the name of a member of this Court who rose and interrupted me. Fearing I might possibly have mistaken the name, or misunderstood my informant, I at once withdrew my remark until such time as I could come

before you and state positively what I had to say on the subject. The member of the Commission to whom I refer was elder A. B. Copeland, of Parnassus. He was present in this Court this morning, and I brought the matter to his attention, and asked him to be kind enough to state to me again precisely what he had said to me once before on this subject. He then made me the following statement and authorized me to use his name as authority for it. When Dr. Metheny, was lying sick at Parnassus, Rev. John F. Crozier, of this Court, went to Parnassus and called on him. This was before the meeting of the Judiciary on which Mr. Copeland had been appointed. In coming down to the train Rev. Mr. Crozier stopped in Mr. Copeland's office. At that time Mr. Copeland was very much disinclined to attend; but Mr. Crozier urged him to attend that meeting. He urged him to come down and do what he could to settle the trouble. From what he said he left Mr. Copeland with the impression, or with the understanding, that it was a Commission, and urged him for that reason to be there and do what he could to settle the trouble. Mr. Copeland told me that he had gone to that meeting with the firm understanding that it was a Commission; that if for one moment he had thought it was simply a Committee, he would not have gone; but he went there believing it to be a Commission, and was only advised to the contrary after he had been in that place. What I was going to say in connection with this when I was interrupted was, that Mr. Copeland believed it to be a Commission. And I feel it to be the more important to say this now, owing to certain things that have been said in regard to the Committee. It has been stated that the entire Committee broke faith with the young men. I do feel, in justice, that the name of A. B. Copeland, at least, should be excepted. He was not a member of Presbytery from Parnassus congregation, and he was simply appointed on this Committee. Hence, when the Presbytery was reconvened he was not present. However, he told me when I returned to Parnassus that it was an outrage that anything should be added in any way to the basis of settlement that had been agreed upon at that time. And he told me more, that if he had been on the floor of Presbytery, whether any member of that Committee, or any other man, had attempted to add to that paper, he would have been on his feet demanding in the name of justice, that that basis of settlement and nothing else, be the one that Presbytery should take into consideration. With these remarks, Mr Moderator, I am done.

Rev O. B. MILLIGAN: Mr. Moderator, allow me just a word.

The MODERATOR: I have not the power.

A MEMBER: With reference to the statement the speaker has just made, I think he should verify his statement. We should not listen to hearsay evidence.

Rev. E. M. MILLIGAN: If the Court is willing to pay for the telegram I am willing to telegraph Mr. Copeland. I started to make a certain statement; before I had finished that statement I was challenged in my remarks and I have simply finished the statement at this time.

Rev. O. B. MILLIGAN: May I say a few words.

The MODERATOR: The Moderator has no power to grant

your request.

Rev. O. B. MILLIGAN: It is simply a piece of evidence in substantiation of a declaration that I made this morning that I neglected to give to the Court, owing to the fact that I had no manuscript prepared. As I will have no opportunity of presenting the evidence after the defendants have presented their side of the case, I ask the indulgence of the Court.

Rev. J. C. SMITH: I think by consent we will give the

brother a few moments.

Rev. O. B. MILLIGAN: You will remember, Fathers and Brethren, that I said I had been true to all the obligations that rested upon me after having taken covenant vows to be faithful to the law and order of the Reformed Presbyterian church. In substantiation of that I wish to say that before the trial commenced in Wilkinsburgh a memorial was sent up from the East End congregation to Presbytery. It was a memorial unsolicited on my part. In it was the plain declaration (and I think all, if not all, all but one or two, of the East End congregation joined in it) that not a word had I spoken from my pulpit, or in any of my public utterances to that congregation, against the law and order or the Testimony, or the application of the law and order of the Reformed Presbyterian church. Moreover, Mr. Moderator, and Fathers and Brethren, I want to call this fact to your attention. When the delegates from our congregation were being heard on the floor of Presbytery, remonstrating against Presbytery going forward with this trial, one of the members of that delegation asked, through the Moderator, the delegate of our session whether in our judicial court we had ever received any one into the church without questioning them with special reference to the application of the law and order and the Testimony of the Reformed Presbyterian church, and that delegate, in open Court, testified that as a session we had been true to all that this Court could demand of us. Now I want to add to that, we had been true in requiring of all who desired admission to our church that they would refrain from exercising the right of franchise. With that, and thanking you. I am done.

Rev. J. F. CROZIER: If I have a right here —

The MODERATOR: If it is a question of privilege you have.

Rev. J. F. CROZIER: I wish to be heard.

The MODERATOR: If it is a question of privilege you have a right to be heard.

Rev. J. F. CROZIER: I said in answer to Mr. Milligan yesterday that I had never made such a statement, as that that Committee was a Commission, to Mr. Copeland or anybody else; and I am here simply to repeat that statement. I am not responsible for any understanding Mr. Copeland or anybody else may take from my words; but I say, as plainly as I did yesterday, I never made, to any living person, such a statement. Now in proof of that, I want to tell you this: When the Committee on Discipline reported I was very much afraid they would report referring this to a Commission, and I was determined beforehand if they did, I would oppose it. And the older members of Pittsburgh Presbytery will remember that on more than one occassion I have opposed referring to a Commission such important business as that. and giving them powers. I have always been opposed to it, and I was afraid they would bring in a report referring this to a Commission, and when it came in a "Committee" I was satisfied.

DEFENCE OF PITTSBURGH PRESBYTERY.

The MODERATOR: We are prepared now to take the next step in the matter before us. The appellants and complainants have completed their arguments in support of their appeals and complaints. The next step is to hear the representatives of Pittsburgh Presbytery. It has already been officially announced to this Court that the Revs. R. J. George and David McAllister have been appointed to represent Presbytery on the floor of Synod. The Rev. R. J. George will now address the Court.

Rev. R. J. GEORGE, D. D.: Mr. Moderator, Fathers and Brethren: I am not insensible to the gravity of the charges that have been made against me personally in your hearing, in connection with these cases. I should not have expected to appear before you in any other relation then as speaking in defence of the course of that Presbytery which I have been appointed to represent. The leader in the devotional exercises said to me that he thought I should offer the prayer. I said to him, I did not think that I was competent to do it at this stage of the proceedings. Reflections upon ministerial integrity I regard as of the gravest character, and at the first intimation of it, by my brother yesterday, I asked that the clerk take down the words which he uttered. I recognized, as you all do, that these brethren were not in a position to prefer charges against me by libel, on account of being before Court themselves. And I recognized that the matters to which reference was made were of so grave importance that if by the action of this Court they are restored to their positions and places on the floor of Synod, then it would be necessary that I myself should retire until the Court should adjust the question between us. If any minister in regular standing on the floor had impugned my character, as stated before you, of course, immediately, out of respect to a court of Christ's house and my brethren in the church. I should have regarded myself as placed in that position. I make these remarks that you may know that I do not misapprehend the gravity of the

circumstances under which I am here before you.

The first thing I claim in behalf of Pittsburgh Presbytery is, that in all this painful procedure she has preserved the utmost care with reference to ministerial character before the community; that while she has been compelled in fidelity to the church, to maintain a firm position with reference to what seemed to her a departure from our Testimony and our sworn engagements, she has on every occasion endeavored to keep before the mind of the public that she was not reflecting upon the moral character of those who were brought to her bar. The Moderator of our Presbytery in preferring the libels called very distinct attention to this fact. In each case he was very careful to say to these dear young brethren that there was no imputation upon their moral integrity. Our brother, the Moderator of Presbytery, furthermore, in the Pastoral Letter which he addressed to the church, gave very great prominence to that truth, in order that, sending that letter over the whole church, which had reference to this painful matter, there might not in any way be any reflection cast upon the moral character and integrity of these men who had been thus dealt with by the Presbytery.

I say that is the first claim I make on behalf of our Presby-We have gone to such an extent in that, that, as you have heard again and again on the floor of this Court, it has seemed to many a very remarkable and almost a ridiculous thing that brethren who were charged with heinous sin and scandal should at the same time, and by the same court, be held up before the public as guilty of no immoralities. This distinction is clearly made in our Book of Discipline. The larger body of Presbyterians, dealing last week with reference to one of their brothers, a most illustrious man, and widely known, made no reflection upon the moral character of Dr. Briggs, although they judged him disqualified for a high position in the Presbyterian Church, with all his scholarship. literary attainments, and perhaps, high spiritual life. I think you can easily see that our Court has not been mistaken in maintaining this distinction in her course of procedure, and that she had indicated a proper spirit, in her anxiety not in any way to inflict injury upon the young men whom she felt

constrained to separate from her ministry.

My Brethren, you have heard the testimony of this fact from the lips of the young men themselves. They have said to you that they appreciate what Presbytery has done in this regard. They have thanked the Moderator both for his statements in the Court, and also for his statements in the

Pastoral Letter, that he has been so careful to guard their reputations. It is evident that they had had a full appreciation of the importance of this to themselves. Conscious as I am that they must appreciate then the value to a minister of his reputation in life. I am constrained to believe that they would not have been moved to make the statements they have on this floor, with reference to myself (designating me, not by name, but in such a way as to be known to the public), before the audience assembled here and in the presence of these representatives of the Press, and understanding fully that what they said they could not recall.—I am persuaded they would not have done it if they had not felt they were capable of in some way sustaining what they have said by evidence. They have submitted to you such evidence as seemed to be in their possession; and on the face of it, circumstantial as it was, I grant you it was sufficient to very deeply wound me personally. I am not insensible to the position in which I have been placed. But I use it to illustrate the more fully the claim that Pittsburgh Presbytery has upon you for kindly consideration, especially when she is charged with injustice and wrong. For you will take note that while she has gone forward in discharge of this painful duty in this way, she allows these ministers to present themselves before you with her

testimony that they have not done immoral things.

Second. The second thing I claim for Pittsburg Presbytery with reference to her course of procedure is, that she has preserved a silence that is corresponding to her position as a court of Christ's house with reference to this matter until this hour. She has been challenged to discussion in the public prints. Our brethren have thought it best to lay before the Church, in some measure, their grounds of defence before the Presbytery, and this has been in the hands of the people. Editors have kindly proposed that if the representatives of Pittsburgh Presbytery would follow the same course and submit their side of the case through the public prints, that the discussion might go forward in that way, and the people thus be prepared to judge. It has seemed to some a confession of weakness on the part of our Presbytery that she has not accepted this challenge. My Brethren, I say for Pittsburgh Presbytery that she would have been very glad, and proud indeed, to have submitted to the public the noble, and as it seemed to us, dignified and unanswerable defence or advocacy of Presbytery's course by her representatives, Dr. Willson and Rev. Kilpatrick. I am sure I can say that it is not through any hesitation to submit the case, as it was before us. to the judgment of the public that we have been restrained. But it did not seem to us the proper course for a court of Christ's house to take. These young men had used the privilege which belonged to them, and appealed their case to a higher court, and should submit it here; and I ask you to remember that Presbyterv has waited until this hour to vindicate herself. I think it the more important to note this, because the members of this Court have not felt themselves restrained from expressing beforehand their convictions as to the course our Presbytery has followed; and terms have been used that were very irksome, I may say, to the ears of sensitive brethren who felt they were trying to do the best they could in a difficult case. But they have waited. We have taken some courses of procedure to vindicate the law of the church which have been regarded as further indications of our anxiety to delay the measure. It has been intimated that we were throwing up bulwarks and fortifications at every point to hold back the meeting of this issue, and the impression has been made upon your mind that we were conscious of the weakness of our case, and were not willing to submit it to the judgment of our brethren. Now I ask you to remember that we have had to insist somewhat upon what seemed to us essential to the authority of Christ's house. We have borne these imputations and have remained true still; and I am glad that we have been vindicated by so large a judgment of Synod as to the rightfulness of our course in maintaining the authority of Christ's house, in order that we might come to this hour in that condition and state that is worthy of the case we have to decide. I beg your indulgence in this somewhat lengthy introduction, because after having listened these many hours to the presentation of the other side of the case, I felt it needful to eall your attention to the fact that you are now to hear judicially for the first time the defence of Pittsburgh Presbytery, and that all the impression that has been made upon your mind by everything presented outside of that presented by the defendants themselves in their own defence, you are to dismiss, and listen to us as we proceed.

I want to add my word to what was remarked by my brother J. R. J. Milligan as an important privilege. He, in the consciousness of a prevailing conservative sentiment, which I am happy to think prevails in the Synod, made a remark that he hoped the brethren would remember that they were not to decide this case upon their convictions of principle, or with the idea that because they held a conservative position that therefore they must sustain Pittsburgh Presbytery. I fully endorse that statement. I do hold, dear Brethren, that truth is more sacred than the rights of any man. Truth is more sacred than the rights of any man and any man may be willing to sacrifice his own rights rather than sacrifice the cause of truth. But, mark you, God has so connected the sacredness of the rights of men with the sacredness of his own truth, that you never can advance the cause of truth by trampling upon the rights of men.

If, as you listen to these cases, you find that Pittsburgh Presbytery, in her zeal for the truth, and in her concern for it, has departed from the proper course of procedure in such a way as to work injury to these young friends, who have plead so earnestly before you,—as to work harm to them, or to do wrong, you are not to east your ballot to sustain Pittsburgh Presbytery because you are anxious to sustain the conservative side of our church. The conservative side of our church does not rest upon, does not depend for its vindication on, any wrong done to any ministers of this church. And so I add my voice to his, that you shall listen simply to the presentation of our defence, and that then, on this first question, you have to decide whether we have been guilty of injustice and wrong, you shall decide simply on the facts as they are before your minds. I say that we are willing to rest the issue upon this statement.

I wish to say, first of all, that in conference with my brother, who is also to represent our Presbytery in its defence, we have thought best to make a division, so that we should not traverse the same ground, and so, as far as possible, to facilitate our work. It falls to me to review the line of procedure which came before the actual trial in Presbytery, and to deal with those questions that are preliminary, while my brother will deal with the questions of law and the course of procedure, carried forward under his own hand as

Moderator of Presbytery.

1. The first thing I wish to present is this: that this action was taken in obedience to the explicit instructions of Synod. I wish to go back to the authority under which Pittsburgh Presbytery went forward in this instance. I say, she was acting under the direction of the superior court. In the Minutes of Synod last year, on page 303, I read this language, from the report of the Committee on Discipline: "That Synod disapproves and emphatically condemns and warns the members of the church against the teaching or publishing sentiments contrary to and subversive of the well established principles of the church, and the practical application of her Testimony against the irreligious institutions of the nation, and that Presbyteries are hereby enjoined to see that this direction is observed." That we accept as a direction from the higher court with reference to certain questions.

A point was raised by the first speaker as to the different things to which this might apply, which has led me to think it necessary (though I had not before) to call attention to the fact that Synod distinctly defines the matter to which she intends to apply. In the Reasons of Dissent, on page 261, of the Minutes, which are the reasons of dissent from the action of Synod with reference to the report on union with our sister church, and this reason of dissent, which I read, is signed by the brethren who are before you, and a number of others. It is: "VI. We specially protest against the approval or adoption of the Committee's addition to the basis of union,

which pledges not to vote nor hold office under the United States Constitution, as a further condition of membership in our Church. 1. Because, although our sessions have long required such a condition of membership, yet it was never incorporated in our standards, must be overtured and adopted before it can be a lawful term of communion, and is contrary to the principle of our Testimony, pp. 7, 8, 116, and chapters XXI, 3 and XXII, 4. 2. Because it makes our 'explanation of terms' a term of communion, binding the conscience. which we have always disclaimed. 3. Because it is a mere opinion that only proficient students of the Bible and cf political philosophy can understand, and thus excludes Christ's little ones from church privileges contrary to his express will. Matthew 15:9, 16:18 and 19:13-18; Romans 14:1-5, and Revelations 3:7-8. 4. Because it dishonors us and our covenanted fathers as having entirely omitted from our Testimony that which is now claimed to have been all along our chief term of communion, whose omission, the Committee in their statements say, would leave the united church without any justifiable ground of a separate denominational existence.

Now you may still question whether the connection is clear between these two acts; but here is the connecting link in the Answer to the Reasons of Dissent as prepared and adopted by the Synod. I will read but a short extract: "Her deliverances and the conduct of her members may have been in some cases inconsistent, as is true of all other churches; but the testimony has been and is that of practical political dissent from an immoral constitution of civil government." Now notice, "This position, Synod declares its earnest determination, by the grace of God, to maintain until the laws and authority of Christ are acknowledged in our nation's fundamental law." You have there the particular position which Synod took its action in order to maintain; and there is no room to raise a question as to the meaning of the law with reference to what the Synod required when she enjoined the Presbyteries to see that certain discussions should cease.

I think I will have the support in this of our brethren of the New York Presbytery, as they have also felt themselves constrained to act in regard to these matters. I do not know that they have acted out of respect to this law, but they certainly have made it clear to this court that they have taken up these cases with reference to the same question upon

which we acted.

It has been regarded as a reflection upon them that our Presbytery sent in a memorial, as if they were not doing their duty. My Brethren. I beg you to remember two things:—1st. The New York Presbytery did not have to deal with this question as we had, because the East End Meeting was held in our bounds, and not in theirs. 2nd. At the time our Pres-

bytery adopted its memorial to Synod with reference to these cases, New York Presbytery had not convened and had taken no action. So, I say, it is a mistake to regard Pittsburgh Presbytery as assuming to herself a superior righteousness over her sister court with reference to this disturbance. The sister court has taken her place by our side, by her action, according to her representatives on this floor, in taking up the cases also. That is the first point which I wish you to fix in your minds, that Pittsburgh Presbytery has acted in accordance with the direction of this Synod, before whom she now comes to defend her action. It will be no defence against any act of injustice and wrong, but it certainly will be a defence against very much that has been said as to her right to act at all.

II. The occasion of our action was a specific and definite act,—the East End Meeting, held July 15th, 1890. The first knowledge of this Meeting which we had, was a publication in the Pittsburgh Commercial Gazette, of July 22, 1890. I wish to call your attention to this first notice given to the public of the fact that such a meeting had been held. I shall not read all that I find here with reference to it. The heading is: "In Secret Session. Important Meeting of Reformed Presbyterian Ministers. An Organization Formed. One Reason the Recent Squabble in Synod. Strong Platform Adopted." And then it goes on to describe how gigantic the movement is.

There are five things brought out in connection with this announcement, given to the public with regard to this meeting:—1st. That a meeting was held; 2nd. That it was a Secret Meeting; 3rd. That it formed an Organization; 4th. That it framed a Platform; 5th. That it ordered the Dissemination and Propagation of that Plaform. Now that is a very clear and definite fact. I want you to remember that it was brought to the attention of the church of this neighborhood a very few weeks after the adjournment of Synod, when the direction was made that the discussion concerning these points should cease.

I do not think I need to discuss anything to show that the evidence was unanswerable, that there was a meeting. The Platform issued by the Meeting was proof that the Meeting had been held. Members who were present at it made it known in public places, and to their people, and all the circumstances connected render it evident that the statement in

the paper was true: that a meeting was held.

The question has been considered an open one all the year whether it was a secret session. I should not take time to consider it only for this point: That it was given out as a secret meeting; that the secrecy of it was held to be an objectionable feature, and that the hiddenness of it was a remarkable element, and the impossibility of getting rid of that,

convinced brethren that it was in some sense secret. Now notice,—I use my language carefully,—that it was in some sense a secret meeting is, I think, evident by actual facts that

will occur to your minds.

The first is, it was held nearly a year ago; it has been intensely discussed ever since. How many of you know all about it? How many of you feel you know all about the East End Meeting? It was said to be a private meeting, but it was a meeting for prayer we are told. It was a meeting for the explanation of views that had been misunderstood. I can see that there might be occasion for privacy in a meeting of that kind. Those who think alike like to be together, and sometimes alone. But I can hardly see that there should continue for a whole year an air of uncertainty about a meeting that was truly of this devotional character, and with such manifestly open intentions as to explain past misunderstandings. I say to you frankly, that after all these facts which came out in our Presbytery, I know very little about the East End Meeting. Pittsburgh Presbytery's memorial says to you that they have knowledge that two or three brothers, whom they name, were at that meeting; but they say, "others, known and unknown to us." Although we have been over this ground in judicial committees that were thought to be commissions, and in Presbytery meetings, for I don't know how long, we still have to say, "known and unknown to us" One of the most prominent members of this meeting. Father Kennedy, said on this floor only a few days ago, "Not until a few weeks ago did I know that any member of New York Presbytery was at that Meeting." Yet, dear Brethren, you remember all this was a subject of discussion. The place of meeting, the officers, the membership, the procedure and all is shrouded in mystery. The Platform was given to the public. -the only thing that should not have been; everything else is shrouded in mystery.

I do not think it was an oath bound society: I do not believe that they had grips and passwords. In fact I have been led to think that it was more informal, as the discussion has gone on, than it seemed at first sight to many to have been: but I do still feel, dear Brethren, that you will all have to admit that it has involved itself in a cloud of mystery, of just the kind that awakens apprehension in the minds of the people Now, people are not very much afraid of that which is out in the open field, where they know they can meet it; but their nature and all their experience, has made them apprehensive of a meeting that is held within our bounds and with reference to the existence of this church, and which is a secret, inside of which they cannot be admitted. We had the intimation awhile ago that the Minutes of this Meeting were in the private diary, perhaps of the Secretary of the Meeting, and that whoever was intimate enough to get access to his private diary might find out what was in the Minutes. which was an intimation to other people that they wouldn't be likely to see them. When the question was raised about the official Minutes of this Meeting in the trial, the Moderator said it would be a good thing if they could just be laid on the table of Presbytery. They were not. Now I submit to your calm judgment that there is that element in it that was calculated to awaken apprehensions. And I am the more anxious that you should recognize the facts that caused that apprehension, because it expresses itself in very strong terms in memorials, and the brothers have made their defence largely on the idea that it was that needless alarm which has wrought all the mischief. Well, it is not strange there was an alarm when this was pretended to be the revelation of what the Meeting was, and no one was able to find out facts that would deny what was therein stated.

I pass to the next point, and that is, that there was a platform adopted. I think I shall not take the time to read the Platform, it is so familiar to you, but it is introduced in this way: "We, the undersigned, agree together in the maintenance of the following principles." The point I wish to make in connection with that is this: That there was reason to believe an organization was formed. We had the fact of a meeting, and the secrecy of it. Now, I say, there was reason to believe that an organization was formed. The Gazette in the article to which I have alluded has, as one of its head lines, "An Organization Formed," and goes on to give partieulars about officers, about the establishment of headquarters, about a certain enrollment to be made, and all that. It may be said that this is simply a newspaper report and not at all reliable. My Brethren, I admit that it is a very unsafe thing to proceed on newspaper reports; but I submit to you, also, that there was evidence of an organization, apart from the newspaper report; that at least made it reasonable to suppose there was an organization at this time.

I wish to refer here to a letter that appeared in the Commercial Gazette on August 22nd, a little over a month after this meeting was held. It professes to be an interview with the Rev. Dr. McClurkin and expresses his opinion of the recent Elders' Convention. I read this clause, which is given in quotation marks as his own words: "We organized this society," said he, "and adopted a Platform which contained principles which we contend are right and according to scriptural teachings. We sent copies of this Platform broadcast so that others in the church might read and understand our position on the great question." I shall not read more than that. I read it for the purpose of showing you that whether there was an organization or not, the church having, in the first place, this declaration that there was an organization in the Commercial Gazette, and then about a month after,

when there had been some discussion, having this statement, that purported to be an interview, from one who was known to have been present at the East End Meeting, and the most prominent man in it, declaring that they formed a society and adopted a platform for this purpose, that it was not an unreasonable thing that we did think there was an organization formed. Indeed, I do not see how we could have thought anything else. There was nothing contradictory to it known to us, and we had this evidence of its truth, that seemed to be authentic.

The language they used themselves looks to me very much like what you would find in an organization: "We, the undersigned, agree together in the maintenance of the following principles." I submit to you, Brethren, that that is not the form of resolutions. It is not the usual method of expressing an opinion by an unorganized body. "We agree together in the maintenance of the following principles." It is an enrollment. "We, the undersigned." That means an enrollment, don't it? .. We, the undersigned agree." It is an agreement. That means an association, does it not, of those who are enrolled? "For the maintenance of the following principles." Why, Brethren, for men who understood the use of words, and who had met for explanations that there might be no misunderstanding, to put out a document that they themselves declared this to be,—"We the undersigned agree together in the maintenance of a certain platform of principles." and not intend that people should think they were organized for that

purpose, is to me a remarkable state of affairs.

But I want you to notice that that heading is not what the newspapers have said; it was the title to the Platform as it came from this meeting. It is explained that they were simply explaining private opinions. I submit to you that that is a very peculiar form of keeping up your private opinions. "We agree together that we will maintain the following private opinions." Does that mean that you are going to act as individuals, but each man of you binds himself that he will never change his views? We have heard a good deal of the right to discuss and come into larger views of things. But these brethren have agreed together and have definitely organized; not a public kind of an organization, but they have agreed together to maintain the following principles as private opinion. None of them are to change without the consent of the others, I suppose, his personal views; that private view which he holds for himself, because they declare they do not mean an organization. I submit that whatever they thought, they put out that Platform. We have them doing that. They thought they organized for this purpose. And now that is all I want to say with reference to the belief that there was an organization.

My Brethren, that brings me to the first question I have to

meet in my personal defence. It was pointed out this morning that the pastor of the Beaver Falls session had sent to Presbytery in his own handwriting, a memorial, which is here, and which declared that this was an organization. Happily I am in possesion of that memorial this afternoon, and I want you to judge of the vicious spirit that underlay that memorial and framed it, and I submit it to you: "To the Moderator and other Members of the Pittsburgh Presbytery: Dear Fathers and Brethren: It is with unfeigned sorrow that the session of Beaver Falls congregation addresses to you this memorial in reference to the course of events in our church. The last Synod having permitted a free and untrammelled discussion of the distinctive position so long held unquestioned by the Covenanter church, and having by an overhelming vote declared its unwillingness to depart from her historic ground, we had confidently hoped the church would be permitted to. go forward in her work without further distraction. In this we have been disappointed. With grief and pain we have learned that in disregard of the express instruction of Synod our brethren of the minority have felt called upon to re-open the discussion in a more aggressive and dangerous way than before. Under the plea of Christian union they have formed an organization and formulated a platform, setting forth views in direct opposition to the doctrines and practices that are fundamental to our church, and have declared their belief that such views are in accordance with the Scriptures and in harmony with our subordinate standards."

I do not believe they could have stated it more fully than that themselves. Beaver Falls session said in their memorial that they claimed the Platform was in harmony with the Scriptures and with our subordinate standards: "In view of this fact your Memorialists feel constrained to ask Presbytery to interpose by its authority to protect the church for the following among other reasons: First. Because this is an attempt which if successful will lead the church into sinful apostasy and covenant breaking; and even if unsuccessful, the persistent agitation will retard her growth in numbers and seriously affect her growth in grace."

Now, my Brethren, there are those dreadful words,—apostasy and covenant breaking,—and you will notice it is said that it is the conviction of Beaver Falls session that the position which they have taken is contrary to the Scriptures and to our subordinate standards and to our covenant; and they only say here, dear Brethren, that if a movement like this, organized in the church, succeeds, it means the apostasy of the Covenanter church and the breach of her govenant before God. Now, that was the conviction of Beaver Falls session, sent to the Presbytery under whose care it is, with its grief and sorrow expressed, and with the frankest statement that these brethren thought their position Scriptural, or claimed

it to be Scriptural. But, our conviction was, if their movement went on successfully, that our church would turn her back on her covenant. I submit to you, the Beaver Falls session thinks so still.

These brethren talk about using hard words. Well, I could read to you, if I thought best to take your time, a little of what Dr. A. M. Milligan, who has been referred to so often, says about the departure from our covenants and our profession, to show you that those awful words of covenant breaking and apostasy were not used for the first time in this connection.

The second reason is: "Because this movement tends to eripple all our educational and missionary boards, by weakening the efforts of the church, awakening distrust and wasting her energies in unprofitable discussion. For the brethren identified with this movement we beseech you to use all possible means to reclaim them from their misguided and unhappy course; but failing in this that you take measures to secure their removal from their positions as public teachers. either as professors or pastors or missionaries, which they have received from the hand of the church on a profession which they no longer believe or maintain, and against which they are using their influence." Now, as I have stated, the first part recognized that they believed it to be in harmony with the subordinate standards; but the thought in our minds in the presentation of this memorial was, it was not as they understood it, but on the impression produced by it: "It is our further conviction that in these circumstances Presbytery should carefully discriminate with regard to views," and so on.

Now, you have heard that these memorials had brought trouble and harm, and that the pastor of this particular session was to blame for it. I submit to you that that is a frank, sorrowful and earnest expression of a conviction with regard to a certain course; that it breathes the spirit of love for those engaged in it, and love for the church whose interests are at stake. And I am willing to submit it to the brethren themselves as to whether it calls for such eloquence as we have listened to this morning. Why did I write that? Attention was called to the fact that in writing that memorial I said there was an organization formed. You see I did. submitted to you the authority on which I said it. I thought it was sufficient. It was the conviction reached in my mind from this declaration in the Gazette that was given out as authoritative, from the fact that there was no contradiction by them, from the platform in my hands, from the fact that such views were given out by themselves. From all these, it was my conviction, as well as that of my brethren, that an organization had been formed. If I stated an untruth there, I stated it with the conviction that is was a truth, and I want

you to keep that in your mind, so that when we come to the next part of it you will remember that I have cleared my skirts with reference to the statement in the memorial as to

any intentional misrepresentation of the brethren.

My next point is that this Platform, adopted at this Meeting, is subversive of the fundamental position of the church, and of our Testimony in chapter 30. I do not intend, my Brethren, to go into the argument with reference to the principles of this Platform, but I simply read two or three statements in support of this view, which was the basis of our action. I read from the Testimony, chapter 30. "It is the duty of Christians, for the sake of peace and order, and in humble resignation to God's good providence, to conform to the common regulations of society in things lawful; but to profess allegiance to no constitution of government which is in hostility to the kingdom of Christ, the Head of the Church, and the Prince of the kings of the earth." The first error is: "That it is lawful to profess or swear allegiance to an im-

moral constitution of civil government."

The second thing I read is from our Covenant. In the confession of sin we say: "The nation refuses to own its responsibility to God and to the Mediator, to recognize the supremacy of the Bible in national affairs, and to countenance and encourage the true Christian religion." nation? Our nation. "Atheists, infidels, and all classes of vile men, are made constitutionally eligible to the most responsible positions under the government. Consonant with these essential defects, the history of the government has been largely one of oppression and injustice towards its aboriginal and colored people, and of iniquitous distinction of caste; while Sabbath desecration, prostitution of the oath, official corruption and dishonesty, profanation of the name of God, murder, drunkenness, excess and rioting, violation of the ordinance of marriage, vanity of apparel, sinful extravagance, lying and deceit, - are become common and ordinary sins." That is in the confession of sin. The engagement to duty I think you well recollect. I wish to read simply the last part of it: "We take ourselves sacredly bound to regulate all our civil relations, attachments, professions and deportment, by our allegiance and loyalty to the Lord, our King, Lawgiver and Judge; and by this, our oath, we are pledged to promote the interests of public order and justice, to support cheerfully whatever is for the good of the commonwealth in which we dwell, and to pursue this object in all things not forbidden by the law of God, or inconsistent with public dissent from an unscriptural and immoral civil power. We will pray and labor for the peace and welfare of our country, and for its reformation by a constitutional recognition of God as the source of all power, of Jesus Christ as the Ruler of Nations, of the Holy Scriptures as the supreme rule,

and of the true Christian religion; and we will continue to refuse to incorporate by any act, with the political body, until this blessed reformation has been secured." That is what we have sworn. If any one suggests, as is suggested. that that does not specifically bind this church to a practical political dissent from the government of the United States by any act of incorporation, I cannot see how they understand it. If any one in this church denies that the exercise of the right of suffrage is an act of incorporation, I am not able to understand how they have sworn this covenant. And, my Brethren, if we took that covenant with the understanding that such act of citizenship is an act of incorporation, then I take it that any platform that undertakes to lead the church away from insistence upon that as a term of communion, is undertaking to lead the church into apostasy and into a breach of her Covenant.

I submit to-day, it is the conviction of the church that when the principles of the East End Platform prevail, according as they are explained by the brethren themselves, this church will cease to be a church standing apart from the political institutions in this land as a witness for Jesus Christ. our Lord. Now I do not know whether any one made that statement or not. I do not know whether they meant it. But I do know that the principles of the East End Platform are not in harmony with our standards, that it is subversive; and if that is true, and Pittsburgh Presbytery came to the conclusion that it is true, with regard to the East End Platform. what followed necessarily? Why, it was propagated. If that is correct, and if it meant that, then, my Brethren, it meant the very thing which this Synod said should cease to go on. It certainly meant the very thing to which this Synod referred when it said it should cease. If that be true, then the question is: Was this Platform propagated? Well, it was published in the papers; it was sent by the official secretary of the Meeting for issuance through the magazines of the church; it was issued in tract form, and sent out over the church in a circular form, as Dr. McClurkin says, "scattered broadcast," in order that it might go everywhere.

Now I submit to you that that is a specific fact. This Platform declares they will maintain these principles. They were their private opinions, we are told; they were issued for explanation; but, they were private opinions given to the public, and to be maintained before the public. There is the second point, the clear, definite fact. You have, first, the law of Synod, the direction to the Presbyteries. You have now a specific act occurring a few weeks after, and that is its character. It was a meeting, a secret meeting; it was an organization as then understood, later it was supposed to be an organization; it issued a platform that was subversive of this

fundamental principle, and it was propagated. The result

was, there was agitation.

III. My next point is that this fact was brought before the Presbytery in a regular way. I want you to remember that this specific fact was brought to the attention of our Presbytery in a regular way. I may say. I think the Presbytery would have acted immediately on her knowledge of this fact if there had been no memorials. As soon as the announcement of this Meeting was published the editor of one of our magazines said, "This will require the attention of the courts." It struck me so, when these facts were sent out. Why, I think it struck all our people in that way. It was several months until Presbytery would meet. The question was, can an organization like this be allowed to go on until the Presbytery convenes? It will certainly require attention when it comes together. But, can it wait for the meeting of

Presbytery?

This fact was brought before Presbytery in the regular way. In the first place, by a memorial from the Elders' Convention, of which some of you have heard. I wish to read an item or two from this memorial. I take the quotation from the report of the Committee on Discipline: "Paper No. 5. This is a communication signed by the Assistant Clerk of this Court as the Secretary of a Convention of Elders of this Presbytery, held in the Alleghenv R. P. church, Aug. 12, 1890, including the call under which the Convention assembled; the signatures to the call and the enrollment of members, numbering 59 names, representing the sessions of Allegheny, Beaver Falls, Central Allegheny, Little Beaver, McKeesport, Miller's Run, Pine Creek. Union, Pittsburgh. Parnassus, Salem, Wilkinsburgh and Youngstown." You, I think, heard. Brethren, that there was no paper before Pittsburgh Presbytery from any congregation having a liberal pastor, with reference to this state of affairs. Did you not?

Rev. J. F. CROZIER: Yes, sir.

Dr. GEORGE: There is the first paper alluded to in this report of the Committee on Discipline. My Brethren, it is the paper about which these men have complained the most, -the call for the Elders' Convention. They have regarded it as about the worst paper that came, the most dangerous one, and the most hurtful one. I want you to notice that there were representatives in that Elders' Convention of at least six of the seven of these congregations having liberal pastors. Now, that raises another point about which I am going to be very particular, and in regard to which I want your attention. My brother, Mr. Reed, in making statements in regard to this paper, stated on his word that it contained forged names. That raises a possibility that the names of all these elders from liberal congregations, or congregations having liberal pastors, are forgeries, and I want to do something towards the settlement of that question. I confess to you, it was one of the most startling things to me that it should be stated before this Court, and before this audience. that the Elders' Convention was called with forged names to the call. Well, they were the names of elders, for it was the elders that got up the call and issued it. I happened, my Brethren, to be absent from my home for three weeks at the time this Convention was called. There was talk of it before I left home. But I was called to the bedside of my brother, who with three or four of his family was lying in fever, and for weeks I watched in his home, in scenes between life and death, night and day, and I had little time for intercourse or talk with other men, or taking very particular notice of what passed. While I was there this call was issued about which there had been some talk before I left home. It was not issued, as I understand (though I am not perfectly sure) by any elder of my church. I am sure it was not written by any one of them. I will give you that as a matter of fact in cornection with all the other things you have heard. brother, Mr. Reed, brought this matter up on the floor of Presbytery. He arose and stated, on one occasion, that there were forged names to that call. I knew that an elder of my church had some connectton with the issuance of it, and I rose at once and said, "That seems to me to be so serious a charge that in behalf of one with whom I am interested, and who is not here. I must challenge the statement and ask our brother to state the names of the elders that are forged." He gave me the names, if I recollect, of two elders from his own church. Am I right, Brother Reed? Rev. H. W. REED: Yes, sir.

Dr. GEORGE: I am right. The elder representing his church on the floor of Presbytery came to his feet at once and said, "Mr. Moderator, that is not correct, the names of those men were authorized to be put on." Now, I ask, as a question of privilege, as one of those men is now a member of this Court,—Elder John Ewing from Youngstown,—that at this point he be allowed to rise and make a statement to this Court. I would like Brother Reed to state whether these are the names to which he referred.

Rev. H. W. REED: They are.

Dr. GEORGE: These forged names include the name of Elder John Ewing, and I want the Court to hear from him in regard to these forged names.

The MODERATOR: A question of privilege is raised. Mr. John Ewing will please state to this Court the circumstances with regard to his name being attached to this call for the

Elders' Convention.

Mr. JOHN EWING: Mr. Moderator, this is a plain and direct statement of the facts in the case. This is a true statement of the facts with respect to my name being on the list of

the call for the Elders' Convention. Shortly after the East End Convention it came there in the daily paper, and created some excitement, with some members of the congregation. The members of the session, the elders, held a kind of conference, and I told them I thought all we had to do now was to pass a resolution, or resolutions, condemning the East End Meeting, and we did so. Those resolutions were published by Mr. Pritchard, in the Christian Nation. Well, a few days afterwards they came with a call for the Elders' Convention. I live about 11 miles from the city of Youngstown, out in the country. Four members live in the city of Youngstown. They couldn't reach me, they hadn't time to get there, and after consulting among themselves they thought it wouldn't do me justice unless I had an opportunity of signing the call, and they attached my name to that call and notified me by mail what they had done, and I told them I was glad they had, done so, that I wanted my name attached to it. Now, Mr. Moderator, I am not ashamed of having my name attached to that call; I glory in it. Those are the facts in the case.

Rev. H. W. REED: I wish to ask Mr. Ewing if Le did not state to me either in his own house or in my house, I do not know which, that he knew nothing of his name being on the call for the Elders' Convention until he saw it in print?

Mr. JOHN EWING: I did.

The MODERATOR: State your answer again.

Mr. JOHN EWING: I say, I did. I told him they sent me word by mail of what they had done, but before I got the mail the published call was printed and came out, and I was

perfectly satisfied my name was there.

Dr. GEORGE: That is all I know about those forged names. Our brother did not give any names, and it was only because of my former experience that I was able to fix what he had reference to. Now, I want to fix in your minds that if that call was issued from Beaver Falls (I do not know whether it was or not), and these names were attached at Beaver Falls, the men at Beaver Falls who issued the call had the authority of the session of Youngstown for the attachment of those names to the call, and there was no forgery at Beaver Falls. We have not proved yet that we are not liars, but I want you to understand that so far as anything before this Court, we have vindicated ourselves from the reflection upon us of having forged names to a document of that kind.

The memorials came to Pittsburgh Presbytery, and the most important and most weighty, I suppose, was this one which referred to so many congregations—thirteen congregations and fifty-nine elders. Now, I would not dwell on this Elders' Convention, because you have not the right to decide whether it was right or wrong, but it had its weight in Pittsburgh Presbytery. It was a weighty paper. It represented a large class of people. You have all heard it characterized

as strongly as these men were able to do it. I want you to remember, it bears the name of David Gregg, of whom some of you have heard as a man connected with the Reformed Presbyterian church. It bears the name of John A. McKee, of Samuel McNaugher, of John T. Morton; I could not begin to give the names on it.

Rev. E. M. MILLIGAN: I made the statement that none of Parnassus session were on that call, and I made that as-

sertion by Mr. Copeland's word.

Dr. GÉORGE: I would like, as a question of privilege, you would ask Mr. Dodds whether he had any communication with Mr. Copeland on that subject. (Mr. John A. Dodds arose.) The question I ask of you is, whether you had any communication from Elder A. B. Copeland with reference to the Elders' Convention, or the call for it?

Mr. JOHN A. DODDS: Yes, sir, I had. We wrote to him about it, and he wrote a long letter endorsing the movement thoroughly, and ordered his name to be put on the call. He said he did not know whether he would be there or not. but

he was present at the first session.

The MODERATOR: Some members of the Court say they

did not hear the answer.

Mr. JOHN A. DODDS: I had a letter from him. I wrote to him about the Convention stating ——

Dr. GEORGE: From whom?

Mr. JOHN A. DODDS: From A. B. Copeland. Stating he was in favor of the meeting, endorsing the movement, and ordering his name to be put on the call; stating also he did not know whether he could be present or not, but he would if possible. He was present, and was chairman, I believe, of

the first session of that Elders' meeting.

Dr. GEORGE: That accords with my recollection. I observed the remarks of the pastor of the Parnassus church that his church was not represented, either in the call or in the Convention, and I thought I remembered that Elder A. B. Copeland, a member of Synod's Board of Trustees, and a prominent elder in that church, represented them in the Elders' Convention as the President of the first meeting; and I think his name is attached to the memorial sent to Pittsburgh Presbytery. I say, this communication from the Elders' Convention carried weight in the Presbytery because of its representative character. This Elders' Convention asked two things: "1. That this Convention of Elders of Pittsburgh Presbytery not only reaffirms our position in doctrine, worship and practice, as it always has been held by the church, but would also respectfully ask Presbytery to take notice of any violation of the same. 2. That we respectfully inform Presbytery that we are opposed to the licensing of students. and to the ordination and installation of any one who assails openly or secretly the well known practical application of our

Testimony." That was the import of the communication from this Convention to Presbytery. In addition to this letter from the Elders' Convention there were memorials from seven

congregations.

I wish to read again this language from the report of the Committee on Discipline: "In view of all these facts it does not seem possible for Presbytery to disregard the appeals made to her, and if possible to allay this unhappy difficulty. These brethren (referring to those who have been named) are either guilty of a great wrong and should be called to account, or they are greatly misunderstood and grossly misrepresented, and should be vindicated." That is what Presbytery said. They complain so about the character of the memorial being so severe in charging such hard things. Presbytery said (and bear in mind that it is this same chairman of the Committee on Discipline, to whom they refer as having formulated all these dreadful things, who said in his report to Presbytery:) "These brethren are either guilty of a great wrong, and should be called to account, or they are greatly misunderstood and grossly misrepresented, and should be vindicated." You all believe that, I think. "The papers submitted are not inspired by ill will or malice." If they had been, the Presbytery would not have taken any notice of But they were not inspired by malice, because these men could have no such motive for sending them there. Moderator might have a bad motive; a member of the Court might have, but these elders, all over the church, did not have. "And it is evidently the most cherished hope and desire that investigation will let in the light, and the darkness will flee away. They also urge that the most earnest efforts be made to restore these brethren to the faith and practice of the church, and to avoid by every possible means the separation of beloved pastors from their flocks, and the removal of gifted laborers from their fields of work." That is what this committee said to Presbytery that these memorialists said; that while they had to use these terms in regard to them, they asked Presbytery to use the most earnest endeavors to save these brethren to the church.

Oh, I tell you, my Brethren, I have not been able to listen with perfect quiet to-day to the stigma that was attempted to be put upon the noble band of elders in the Pittsburgh Presbytery. The elders love this church; they have built up its institutions with their thousands and tens of thousands; they have stood for their defence through all these years, and when they saw that announcement put out in the papers, that principles so dear to them had been assailed in this way, by what they believed to be an organization, from this inspiration they made their earnest appeal to Presbytery that it should not allow this work to go on, but step into the breach and stop it. And I remember how old Mr. McKee, who lies

to-day at the gate of heaven, and with the glory of the heavens shining in his face, was helped down the aisle of the church and took his place, his face white as the sheet before me, his hand trembling with feebleness, and old Father Sproull, who was like him, and how they uttered the most earnest and pathetic words with reference to the attack upon the church, and that she should be loval to her King and faithful to her trust. And when I hear men trying to blacken the character of the men who signed that call, I ask, Who are these men that dare to stand before the Synod of this church and charge men of this character with these words of illtimed utterance, and hold them up to scorn? I tell you, my friends, they were men of conviction; they were men who know what the Covenanter church means and what it stands for, and what its work is; and I thank God there are men that, if her ministers prove unfaithful, intend to stand for the principles of the church. I think we shall bless God to the day of our death that in the crisis of the church's history these men came to the front, and they turned the tide. I tell you, that was the hour of our church's deliverance. And I say these things because memorials are on this table from different parts of the church, expressing their condemnation of these men in this Elders' Convention. I stand for them to-day, and, as Elder John Ewing said, I am proud to stand with them; and I tell you, the day will come when other men will be ashamed they did not stand with them.

I will tell you another thing. It has been said here we had better wait for the voice of the people. I will speak for the people as well as for the elders. There are at least eight people who were invited to the Elders' Convention as deacons, and several elders not there in exercise of their office and who asked the opportunity of enrolling themselves with the elders. Not less than eight of those men, since that time, the people in their churches have made elders. They took their stand, honoring Christ, and he has honored them, and there are several of them on the floor of this Court. Yes, it is worth while to be true, and you can bear the ignominy men seek to heap upon you if you only do the will of the Lord. There was no malice in it; there was not an unkind word in it. There was an earnest appeal in it that you would save the young men to the church, but it did say to save the church.save her to the truth and to her principles. I have called to your attention the fact that we had the authority of Synod. I have called to your attention that we had memorials from our churches of such standing that no Presbytery would think of being regardless of them. Now, this is the first place

I now begin with the way Pittsburgh Presbytery proceeded. She begins at this point. The Elders' Convention is not on trial here, but Pittsburgh Presbytery listened to their petition

you have Pittsburgh Presbytery acting.

and to these memorials, and she begins to act at this point. Let us see how she went forward. There has been a good deal said about a certain rule. and I want to read to you from page 69, of our Book of Discipline: "Offences which are private, either personal transgressions, affecting only one or a few, or any other scandal known only to a few, are, if possible, to be settled without giving the scandal any greater degree of publicity, according to the rule in such cases provided. Matt. xviii, 15-17." This is the passage about visiting your brother and seeking reconciliation. You have heard a great deal about it, have you not? One of the things charged against this Presbytery as unjust and wrong is, failure to comply with this rule, and one member of Presbytery and another. some noted teacher, some prominent instructor, have been named out as never having visited these brethren and sought reconciliation, and the rule said they ought to do so. Well. brethren, this is to me a remarkable interpretation of that rule. It is said said that before these men signed the memorials they ought to have visited these brethren and sought reconciliation. Well, what about the two or three hundred men in the east that memorialized about Pittsburgh Presbytery? Was it the duty of these men to come on and visit the Pittsburgh Presbytery, interview us and seek a reconciliation or an understanding about what we could and should have done before they sent their memorials here? Was it the duty of the congregations sending up these memorials to set out themselves visiting, going around among these seven ministers, and interviewing them about their views? Why, that is the most marvellous understanding of the Scripture ever I heard.

What did these memorialists do? They sent word to Presbytery of their difficulty, and they asked Presbytery to act upon it. The Presbytery is the accuser, and nobody else. If any one wants to libel any member for not having made this public matter his private matter, they may undertake that under the law; but the Presbytery is the accuser here, and I am defending Presbytery, and now the question is, Did Pres-

bytery proceed Scripturally?

What did Presbytery do? First of all, we tried reconciliation, and then begins the discipline. That is just what we did. "Your Committee therefore recommend: 1. That the consideration of this report be preceded by a season of reverent devotion and prayer to God, during which we engage ourselves to draw very near to the Searcher of all our hearts, and to cherish the most tender and fraternal regard among ourselves, and that we will faithfully follow the light which God shall vouchsafe to us in answer to our humble prayers." We had that season of prayer the first thing. Who prayed? Brother Milligan told us this morning he prayed. Brother McAllister who was in the chair asked him to pray, I see by the record, and it is a little remarkable we have it here; Prof.

J. K. McClurkin prayed, Dr. Sproull prayed, Elder Glasgow prayed, Elder Magee prayed, and some others whose names I cannot recall.

Rev. O. B. MILLIGAN: I would say, Dr. McAllister asked me to pray in that meeting.

Dr. GEORGE: True, sir. I call attention to the fact because this was the beginning of the trouble, that Dr. McAllister was in the chair, and he asked both Prof. McClurkin and J. R. J. Milligan, two men who afterwards fell under censure (and one was suspended and the other withdrew), and he asked them to lead in that devotion. Our record says there were three psalms sung. What do you think they were? They were the 133rd, 122nd, and the 15th, it is in the record. Who gave out the 15th psalm? The pastor of Parnassus church gave it out. "Who doth not slander with his tongue nor to his friend to hurt." We all understood what was meant; it was intended to be a reflection of his sentiment. That is the only thing that was not exactly, as it seemed to me, in the spirit with which the rest of us entered upon the devotion. I call attention to it because I want you to mark every step of this way, for you are going to determine whether we had injustice and wrong in our hearts, and this is very important. We began with a prayer meeting; it was of a conciliatory character, and those concerning whom the difficulty was, were asked to take their full part in it and did. We were brethren at that hour.

Now, I can say to you that that was one of the most solemn hours in our Presbytery. We have not often prayed in our Presbyteries very much, because we have a great deal of business. We were that day humble in His sight, and we did pray, and I will tell you another thing; in that hour of prayer we got hold of the hand of our Lord, and we have gone forward in this work conscious of his presence. We have not any question about it in our minds. We had the prayer meeting. Now there followed the next step towards this work. Was this a scheme for getting evidence? "2. That following this hour of prayer an opportunity shall be given to all the brethren named to make such statements in regard to the matters set forth in these memorials as they think it best; that, if possible, by the most frank, open and candid expression of views and purposes we may come to see eye to eye, and mutual confidence be restored." Now remember, Brethren, we are taking the first Scriptural step. If it were a private matter, how would you go about it? Why you would say, "My brother, what have you to say? You are charged with this wrong. Explain it if you can." That is the way you would seek reconciliation. You would go to your brother for his explanation. That is what we did. We said, "You shall have an opportunity for whatever you wish to say."

The language is very carefully worded: "To make such

statements as they think best."

Now, the occurrence did take place to which reference was made. A member rose and said he had a suspicion awakened: he was afraid it was an effort to get evidence. I grant you that was said. And I grant you that I rose and said that I thought it was unkind to say that that was a scheme. It did hurt, my dear Brethren, to find this surmise just at that point. We had prayed together. I had prayed sincerely. At the next step there was a suspicion that I was trying to draw out evidence to affect somebody. That hurt me, and I did say, "Now I think that is unkind." And I said, "I hope they will notice there is no obligation to make any statement, and no brother is urged to speak any word he does not feel free to utter, and so I clear myself for any responsibility of what he may say." It was just as frank and open a thing as one man can do with another; and the statements were made, and I think they were frank and open statements in a very great measure. As I seem to have qualified my language, "in a very great measure," I will explain later wherein they were not full, frank and open.

We had the statements made by these brethren, and when these statements were heard, then we took the next step, trying to see if we could effect a reconciliation. We went about submitting papers; we had three papers; one by Dr. McAllister, one by Dr. Willson and another by Dr. J. W. Sproull. These three papers were one after another taken up, talked over and put aside. One did not suit, and another and another. None of them would be accepted by a sufficient number to go through, and so the conclusion was reached

that we could not effect a reconciliation there.

The recommendation of the Committee was that there should be a judicial commission appointed. I believe that was our first recommendation, that there shall be a judicial commission appointed with certain authority with reference to the preliminaries of a trial. The Presbytery finding itself not able to reach this conclusion or agreement, and yet not satisfied to give up the effort, made this proposition, that this Committee should be appointed with a view to continue their effort in the direction of this recommendation. Our first recommendation (and Dr. Sproull who was on the Committee will recollect it) was that we were to exhaust all efforts at reconciliat.on; if we failed, then a commission should be appointed as a preliminary commission to inquire as to the charges and the libels and the witnesses by which they would be sustained. But Presbytery was intent on a reconciliation, although she had failed, and they changed the report so as to read that they should continue their efforts seeking a reconciliation; and then, in case they still failed, that they should bring in their report so and so.

Now, I want to get at this question in regard to the confusion about a "commission" or a "committee." I want to say first of all that I believe there is an honest conviction in the minds of these young brethren, and there was then an honest conviction in their minds that the Presbytery appointed a commission with reference to that matter, and that its settlement would be final. I am sure that the chairman of the Commission thought so, because he spoke of having notified them it was a commission; and I do know that when we met in the morning he did constitute it as a commission when we came together; but I had the Minute of our appointment, and when I read it it said that we were a judicial committee. And now, Brethren, you come to the critical test with reference to my integrity in regard to that report. I will ask the clerk to read the Minute he has in regard to that. (The clerk read as follows:)

"Statement of Rev. H. W. Reed, made Wednesday morning, June 3rd, 1891. There is strong circumstantial evidence that the chairman of the Committee on Discipline, after Presbytery adjourned, changed the word "Commission" in the resolution or the report of the Committee on Discipline to "Committee," and in this same resolution inserted the words. "and if successful to call a special meeting of Presbytery for

its consideration."

Dr. GEORGE: Have you those circumstances to which allusion was made?

The CLERK: No, sir.

Dr. GEORGE: Mr. Moderator, will you ask Brother Reed to call to the mind of the Court the circumstances to which he alludes, which go to show that the chairman of this Committee changed the report?

The MODERATOR: Mr. Reed will please come to the

front and make the statement.

Rev. H. W. REED: Mr. Moderator, the first circumstance, as far as I remember just now and as I stated vesterday, was the statement to me by the clerk of Pittsburgh Presbytery. that he never received the original copy of the report of the Committee on Discipline, but that a corrected copy had been given him. The second statement, or the second circumstance upon which I base my statement was, in the original paper in the hands of the clerk of Pittsburgh Presbytery, the report of the Committee on Supplies in which the language "Judicial Com." is used, and then the syllables "mittee" inserted afterwards by lead pencil. That to me was really the ground of suspicion. Had I not seen that, the other circumstance would not have been so strong and the assertion would not have been made. And then the third was my own memory, as I did not remember the provision of this resolution calling for a special meeting of Presbytery in case reconciliation could be effected. I failed to remember that. And then my great surprise when the notification came to me of

the special meeting on the 4th of November.

Dr. GEORGE: Now I want to say to this Court. brother H. W. Reed is my personal friend, and I am using his extracts from our Minutes this afternoon when I am reading to you, having asked him for them since he came here. I state this that you may know that I have no resentment in my heart for what he has done to me. I have asked him for his extracts that I may use them, and with the same brotherly spirit he has given them to me with welcome. I will state another fact; brother Reed on his return home after his suspension, went down in the cars with me, and sitting in the seat together, if I recollect correctly (this is the impression in my mind), Brother Reed asked me whether I thought that act of suspension excluded him from preaching in other churches than our own, and I think I said to him. "I don't think it does." Can you recall anything about that?

Rev. H. W. REED: Well, I do not remember.

Dr. GEORGE: I wanted to say that when you were on the floor the other day.

Rev. H. W. REED: It may be true.

Dr. GEORGE: I think I said to him that it did not exclude him from preaching in other churches, but I had not thought about the thing as I came to think about it afterwards, and my thought about the contempt came in later. The question was raised in Presbytery, and the mind of Presbytery indicated that they so regarded it, since it seemed to be without due regard to the authority of Presbytery. But, as I said, Brother Reed had my warrant for that. I want to say another thing. Brother Reed is pastor of my old church. He has the flock I cared for the first five years of my ministry, and I have had most intimate relations with him and with them. At the opening of their new church I was invited to be present, and I had the honor to assist my brother in his communion following that. I want you to understand all the true brotherly relations between Mr. Reed and myself. When he made that charge against me before this Court that impugned my integrity as a minister of Jesus Christ, that I would change the records of that Court, after it had adjourned, so as to carry my purpose with reference to him, and those associated with him, when he did that knowing, as my brother does know, how grave an offence that is and what it means to a minister. I say to you and to him, I do not believe he had malice in his heart: I believe he thought it was true; I believe he thought it was true. And it shows, dear Brethren, how far this awful suspicion has driven us, when my brother who has had such relations with me, allowed himself to think, on the evidence he had, that that was true.

. Now I am going to state to you the facts, and I want my brother to stay while I state them. I am going to vindicate my-

self just as far as one can, called up in this way, without the evidence in my hand. I recall the circumstances of that report. As it was brought in, I believe it recommended that there should be a commission appointed, and Brother Sproull got the impression, because he was with me on the Committee. and he carried it with him until we went to the meeting of the Committee. As the record shows. Dr. McAllister had offered a paper, Dr. Sproull had offered a paper, and Dr. Willson had offered a paper, none of which Presbytery would accept. Three of those men, along with myself, were named on that Committee. Presbytery had become distrustful of these men whom you are pleased to call its leaders. They were afraid to entrust to them this matter, lest they might not maintain the integrity of the church as they felt it ought to be maintained. You heard what my brother Crozier said awhile ago as to his conviction that it should not be intrusted to a commission but that Presbytery itself should decide. So when the proposition was made to leave it to a commission Presbytery took hold of it and passed the motion that it should be a committee, and Presbytery itself should determine when there had been a true basis for settlement. There were a number of contradictory motions one after another, as you all know how it would be; one would suggest one thing and another another; I had hold of the report, as I was chairman of the Committee: I would write it in, thinking that was about to pass; then there would be some change which I would have to write again. So by the time we had finished, that item in our report was quite illegible. It was all interlined; and while it was legible enough to me, yet it was difficult for the clerk to be sure he could make it out.

You heard brought out this morning the circumstance that Brother Laird left that Presbytery before it was over, going east to hold communion. When he was getting away I offered him the report, calling his attention to the interlining, and to the difficulty of reading it. He said to me that he didn't care to carry the report away with him, and said, "You just retain it, and you can re-write that item so that there will be no mistake, and then hand it back to me." I did retain it. I leave it to the Presbytery here to judge whether that was an unusual thing in a church court, that the chairman of a Committee, when changes had been made in his report that had made it difficult to read, if he should be permitted to retain it until he should complete it, and give it in to the clerk in a legible form. If Brother Laird said he never had the original copy——

Rev. H. W. REED: He did not say that; he said he never

received the original copy.

Dr. GEORGE: Bear that in mind. The clerk said he never received the original copy, and if he were here with this circumstance he would recall what I state to you, that it was

offered to him and that I retained it by his request, and before he returned home I sent it to his home, his wife receiving it. One circumstance which he alluded to was that item six was stricken out. There was no item six to it, and that led them to think it was not genuine? Well, of course, when I re-wrote it on another paper, the item did not belong to the record, and I simply left it out and sent it to him just as it passed the Court. There is another circumstance to which you allude, that the report of the Committee of Supplies had also been manipulated, the "Com." being changed to "Committee" when it should have been "Commission," the change being made with a lead pencil.

Rev. H. W. REED: That is where the suspicion came in; and seeing the syllables inserted it looked to me like an effort to remove all doubts as to whether a "commission" or a

"committee" had been formed.

Dr. GEORGE: It looked like an effort of some one?

Rev. H. W. REED: Yes, sir.

Dr. GEORGE: How did you connect it with me?

Rev. H. W. REED: I do not remember that I endeavored to connect it with you; I don't know who made that change, I would not say.

Dr. GEORGE: Would you impugn some other member of

the Court with that effort.

Rev. H. W. REED: Well, somebody made that change

certainly.

Dr. GEORGE: Mr. Moderator, I call for the chairman of the Committee of Supplies to state the facts with reference to that report. These are questions of privilege.

Mr. KILPATRICK: Mr. Chairman, I ask if this report of the Committee of Supplies is present that it be handed to me. The MODERATOR: Is this paper present in the house?

Rev. D. C. MARTIN: As the clerk of Pittsburgh Presbytery is absent he left these letters in the hands of the assistant clerk, and I have here that which is the report of the Committee of Supplies.

A MEMBER: There are a number of us understood that assertion was made with reference to the report of the Committee of Discipline. Now it seems to be the report of the

Committee of Supplies; how is this?

Rev. H. W. REED: The statement is simply this:—The Committee on Discipline requested the Committee on Supplies to nominate the members of this Judicial Committee, and in that recommendation of the Committee on Supplies to nominate the Judicial Committee we found this insertion.

Rev. A. KILPATRICK: This report of the Committee is in my handwriting. The words, "Judicial Com.," are written with ink, and "mittee" is written with a lead pencil. But as far as I am able to judge it is my own handwrite. And more than that, I asked for the liberty of retaining from the

clerk this report in order that I might notify the persons who received appointments from Presbytery, of their appointments, and certify this to the papers and magazines of the church for publication. And the envelope in which this report is, bears my handwriting, mailed in our post office, and my impression is, this report never left my hands from the time it was adopted until I mailed it to Mr. Laird from the Valencia post office. That is all I know about it.

Dr. GEORGE: I would like Brother Reed to state to the Court, having heard all this information of the circumstances, whether he is satisfied or not with reference to the charge which he presented, or if he still feels doubt in his mind.

Rev. H. W. REED: There is one circumstance that was not present before my mind, which Dr. George has brought out to-day, and that is, the Committee first recommended a commission to be appointed, and then afterwards the Presbytery changed that to a Committee; I have no remembrance of that being done at the Presbytery. It had all escaped my mind, but with these statements of Dr. George in regard to those changes and amendments in Presbytery of the report of the Committee, I am certainly willing to withdraw the charge I made, and am satisfied with the report as finally adopted and published.

Dr. GEORGE: You are?

Rev. H. W. REED: Yes, sir. And I am sorry for what I

said under these circumstances.

Dr. GEORGE: I have but a few things now to say. I believe Brother Reed is sorry. I do not believe he is half as sorry as he will be. Not because it will change the relations between him and me; we will be friends as we were friends before. But I submit to every minister in this Court, and to every elder, that he has inflicted upon me a gross and grievous wrong that he cannot amend; and through these public prints (and these gentlemen of the press will be fair with me and they will give my vindication as fully as they can), and in this public way he did stand on this platform and made charges that caused a profound sensation in the hearts of the people, and led some most grievously to impugn my integrity until I could hardly meet my friends or ask the hand of a friend. Now, Brother Reed did that in a suspicion that would have been easily removed. You have heard a good deal about the duty of brother with brother before he does a thing like that, when it is a personal grievance, to go to the brother and speak with him. As I have said, Brother Reed is my personal friend, and we have been intimate. He was led to do this: there was a hand in it. It was not malice.

do not believe he acted for himself alone. I believe, this conviction grew in the minds of my young brothers; it must have, and they thought it was necessary to be brought out, and they knew very well what the effect would be upon the

Court with reference to its impression as to Pittsburgh Presbytery. They knew how it would harmonize with other things. And so he took this floor to impugn his own friend, a minister of Jesus Christ, in that way. Now, what I want to say is that a cause that has to resort for its defence, or that depends upon its ability to impugn ministerial character, to carry it through a court of Christ's house, and that will do these things—is a cause which a court of Christ's house

should weigh, and decide what its claim is.

I stated to you at the outset that Pittsburgh Presbytery stands before this community and before the church as having vindicated the character of the men whom she tried and suspended until men said it was barbarous to suspend men against whom you have no charge of immorality. And yet simply to maintain the integrity of the church she separated them from her communion, and she held their characters without spot and without stain. And they have sought to carry their case in this Court, and they have sought to prejudice the standing of Pittsburgh Presbytery before this Court, by impugning my character. I tell you it is too dear to me to be sold at that price. I say I have no feeling of anger against my brother, but I have a feeling of deep wrong. He has done me an injury that he cannot repair, and that I cannot repair.

The Lord will wipe it out.

I beg your pardon for tresspassing upon your time, but you all understand what it means to me, and you are glad that it is cleared up I am sure, and that I do not rest under it. What did we do in this Judicial Commission, or in this Judicial Committee as it was? Now I say again I think these young brethren sincerely believed that that was a commission with which they were dealing; they have said so, and I do not doubt their word at all. The chairman thought so. I think I can explain how the difficulty came about. When the report of the Committee was submitted it recommended a commission. It was in the closing hours of Presbytery; brethren were talking as they will talk, and there was a confusion. Members of Presbytery insisted upon making this change, and they made it. They said, "We will decide this question, and we will make the change." And the brethren did not notice that the change was made, but it was made by the Presbytery. That Committee met in the morning. We were constituted with prayer. They did not come until the afternoon. We were in sessson but they did not know it. There was nothing to indicate to them that it was more than a committee. There was nothing to indicate to them that it was a commission, if they had not had that evidence before them.

The next thing I wish to call your attention to is, the platform we adopted. Now, I submit there was a difficult problem to be solved by this Committee. They were seeking a reconciliation, and the problem was this: These brethren had

made their statements to the Presbytery; the Presbytery regarded them as inconsistent with the standards of our church. They regarded the East End Platform as not able to be vindicated, as not in harmony with our standards. But these brethren declared their adherence to it and they could not change that. It was a very difficult problem to try to solve how these men who adhered to a platform that was not in harmony with the church's law, were to be continued as ministers. The Committee set about it because they understood it was the wish of Presbytery that they should do that. They decided in the first place that this plank should be the foundation: "We disavow the East End Platform as a bond of union within the Reformed Presbyterian church and as other than an explanation of individual opinion." Now, Brethren, you notice that says nothing about an organization. It deals with a platform. You had your attention called to the fact that we thought there was an organization. But now the Judicial Committee talked about it as a platform. How did we come to leave out in that basis the disavowing of an organization? Why just this way: "These brethren made frank, candid and open statements on the floor of Presbytery, of their connection with that Meeting. They explained to us that it was a private conference; that it was not intended to be of that character that it had been understood to be; and we accepted that idea of it, that it was simply a meeting for an explanation of opinions; and we dealt not with an organization but with an opinion, and we said that they should first of all disavow the East End Platform as a bond of union, because they had certainly agreed together. And so we framed this plank: "We disavow the East End Platform as a bond of union within the Reformed Presbyterian church and as other than an explanation of individual opinion." We made up our minds we might submit that first of all. The next thing was: "We engage to abide by the existing laws of this church as to voting at civil elections and holding office, and to carry them out in the exercise of our office." "We engage not to propagate contrary views to the above while holding the position of ministers of the Reformed Presbyterian church." Now, where was Presbytery's compromise in that? Well, I will tell you. It was simply in permitting men to remain in the ministry as the teachers of our people who had declared their belief in a platform which Presbytery regarded as inconsistent with our standards. That was a very questionable proceeding. But that is what we undertook to do because we did not want to separate from the brethren. said, "You can disavow that Platform as anything but your private opinion; you can agree to hold the law of the church; you can agree not to propagate contrary views while you are ministers of this church; you can agree to these things as honest men." We felt that we were letting them go just as

far as any one could. We came together and prepared a platform. We did not put a thing in it that would seem to be a stumbling block, and we left out the one thing which we knew they could not grant, and we thought possibly the church might be safe in receiving them without that, -that is, they could not disavow the opinion they had already expressed, and which we thought was unscriptural. I don't know whether it was right or wrong. Some of us said we would have difficulty about it. But we said that is the last that can be done, and we will submit it to Presbytery as the basis we can agree upon if it will be accepted by the men. And the men came forward and they finally agreed to the Minute that has been read. They did not sign, but it was mutually agreed that this should be the basis that should be submitted as the result of our meeting. And all that has been said about the good feeling we had as to having reached this point is true. Brethren, we were trying to get together. It was an honest seeking after reconciliation, and we were

doing it as honest men.

They say when that basis was agreed upon they received fraternal salutation, and they were led thereby to think that the matter was ended, and that this was a commission. I will tell you what occurred. Dr. Sproull was chairman of that Committee. After this agreement had been accepted by all, Dr. McAllister, who was the Moderator of Presbytery, arose and took the right hand of the brother nearest him, and one after another; and I expect we said all the pleasant things it was stated we did say. We were very glad. Here was a door open out of this difficulty. But, Brethren, it was not the act of a judicatory, and these brethren ought to have known it was not. When we give the sign of official salutation to a brother, the Moderator takes his place and gives his hand, and the rest follow. Our brother was not the Moderator. The Moderator came in near the last. They should have known that, if it had been a court of Christ's house, the man who was not the Moderator would hardly rise to lead off in giving fraternal greetings that indicate a reception of that kind. I believe it was misunderstood, as they say it was. But what I want you to understand is this: It was not deception. That is the difference between their meaning and mine. I am trying to show you the brethren were honest; they are trying to show you that brethren were dishonest. I admit everything they claim they understood, but the particular thing I insist upon is, we did not intentionally deceive them, and they ought not to have been deceived. They did not hear fully; they did not hear the action of Presbytery. It was not our fault that they did not understand that matter, and they thought it was a commission. We know that it was a committee. We had an agreement, and it was this: that in order to avoid the agitation of this question before it would come

to Presbytery we would not say anything about what we had done. We had learned that there is difficulty about talking when the people are agitated. I do not know which side the suggestion came from that we would say nothing about this agreement until it came before the Court, and would not give the people a chance to talk; but that was the agreement. It was not to be given out. I believe the first indication that the agreement was not kept was the next morning. I will turn here to the papers of the morning following that meeting and read to you some statements that appeared in them. Here is one in the Commercial Gazette, of October 23rd: "Victory for the Liberals. The Conservative Reformed Presbyterian Committee find the seventeen not guilty of heresy." And here is another: "A truce declared. An amicable settlement the result of the R. P. Conference. Not such a divergence of opinion as represented. The minority ministers not censured for issuing circulars expressing their views. Will report to Presbytery." The first one is the more significant, "Victory for the Liberals." They did not get that report from the Conservatives, for we did not think there was a victory. It began to go out that the church had surrendered and that these men had things their own way.

A MEMBER: How soon was that report in the paper after

that meeting?

Dr. GEORGE: I am not able to answer that question. It was very soon. I said a moment ago I thought it was the next morning, but I am not positive enough of that to assert it. If you can tell me what the date of our meeting was I could tell you. But the matter which I wish to show particularly is, what appeared in the November number of our Banner, for 1890. On the cover page I read these words: "At the late meeting of Pittsburgh Presbytery Prof. D. B. Willson preferred a "Form of Libel" against the ministers under their care who had signed "the Platform," charging them with "heresy, covenant breaking, violation of ordination vows, pursuing divisive courses and insubordination." Presbytery, having heard the seven ministers so charged in defence of their position, referred the matter to a Judicial Committee. This Committee, after vainly endeavoring to get a recantation or pledge from the parties, unanimously agreed that these young men had been wholly misunderstood, and with the right hand of fellowship relieved them from the unjust suspicion that had been so industriously circulated against them." An "accuser becomes liable to censure if. on investigation, it appears that he has acted from malicious motives in making his accusation."

That appeard on the cover of the November number of the Banner. It was received in Allegheny City on the 7th day of November, with that article printed in it. Our Presbytery met in special meeting on the 4th day of November; those

words must have been in print before our special meeting met, at which time our basis was to be given to the public. That record contains statements as to what occurred in this Judicial Committee that were not known outside of the Committee. It is not a statement that was written by any member on the conservative side. It presents a view of what took place there by representatives of the liberal side. It was sent to that magazine of the church publication, and was in print before the time at which we had agreed to keep faith with one another, that there should be nothing given out as to the transactions of that meeting; and it was sent there by men who have told you over and over again that they believed that that matter was finally settled. They have told you that they believed that was a commission, and that they were not to have a hearing again until the next spring at the regular meeting of Presbytery, and yet there is the report that was furnished by them to go out to the church,—that the conservatives had surrendered the church, and that they would re-open their charges, and that they had been grossly misrepresented, and the man who had the courage to bring a libel before Presbytery against them for following a divisive course ought himself to be libeled. I want you to remember that N. R. Johnston was not the editor of the Banner at that time.

Now I show you that it did not require anything that has occurred on the floor of this Court to convince some members of Pittsburgh Presbytery that there was bad faith in that meeting. It did not, sir. There is a representation that was intended to go to the church, and that went out in violation of the agreement made. I want you to remember that my young brother who stood before you this morning said he regarded the bond into which we entered that day as being as solemn as our sworn covenant, and when we grasped his hand it was a covenant that we would be as true as if we had sworn to it and signed it with our names. I want to know if all these brethren felt themselves held in such sacred bonds to that church court? And yet they sent out such a report as that, when I have read you the basis which was agreed upon, and they meant that report to go out into the church and to go on for six months before Presbytery would meet to correct it.

My Brethren, these young men have hung their case upon the question of bad faith in that Judicial Committee. They have hung it there before the church and before the world for these months; and you can understand that we have some feeling on the subject when we say there was bad faith, but it was not on our side.

I went to my prayer meeting from that Committee. My people were intensely anxious to know. I said I cannot tell you; I hope we have reached a settlement. I spent the time

for nearly two weeks before Presbytery met with my brother-in-law, Prof. Coleman, with whom I have the closest intimacy, talking with him from day to day about that; and when we came on the floor of Presbytery, Brother Coleman, after the report was read, arose and said. "I did not know until the clerk read that report, what the Committee had done." I say that to show you how faithfully I had kept my engagement not to give that out until it came properly before the Court. I am the man who is charged with this bad faith. That is the

way the bad faith began.

I assisted Brother Carlisle at the following communion, and we talked over church matters. He was greatly interested in this matter. Subsequently I had a letter from him in which he said to me: "There have come such reports to the east from the meeting of your Committee that the only hope I have that you have not surrendered the church is, my faith in the men who were in that Committee." I had a letter from my brother, Mr. Foster, the pastor of the Third church, in which he expressed his apprehension that we had surrendered the church. I do not know whether you can verify the authority of these things, but I charge that faith was broken by the men who represented that they had crushed the Pittsburgh Presbytery, that they had vanquished them, and that they ought to be on their knees before them. Yet these men stood before you to-day pleading that somebody had broken

faith and ought to be dealt with.

Now, Brethren, there was another step. When they came into Pittsburgh Presbytery, this treacherous man who had shaken hands with them and been so kind and good, did another awful wicked thing,—he rose in his place when the report was presented and he presented certain resolutions which were regarded as an addition to this basis of settlement. What were those resolutions? The first was this: "That Presbytery expresses its condemnation of the East End Meeting, of July 22nd, as having been held without due regard to the act of last Synod, and as having by its methods and utterances awakened apprehension throughout the church. Notice the resolution does not say "organization." There is a word changed in that resolution. As I offered it it read, "Expresses its disapproval of;" I did not say "condemnation." I said, that is a little too hard a word; and I took it out and put in "disapproval of the East End Meeting." It was written very softly, "without due regard to the act of last Synod, and as having by its methods and utterances awakened apprehension throughout the church." It was as mild a condemnation as you could make of that meeting. The brethren have expressed enough, I think, on the floor to warrant that.

The second was a condemnation of their Platform and reads as follows: '2. That Presbytery condemns the East End Platform as containing sentiments that are not in harmony

with the teachings of our subordinate standards or with the Scriptures, especially as it opposes the position of practical political dissent from immoral constitutions of civil government as a term of communion, which position is fundamental to our church."

Now, why did I do that? I got the floor after the report had been read and before any remarks had been made. I knew the feeling that had arisen. Those reports did not take long to come back from New York. They were all about us. It was said that the church had been surrendered. We came into that Presbytery with men wide awake, and everybody there; I saw the agitation and difficulty, and I wanted to avoid it. I arose and stated, as a member of the Court, not as a member of the Committee,—which leads them to say that I hid myself in the minute; but I did not hide myself; I simply rose and stated, as a member of the Court, I wanted to support these resolutions, and asked that they be considered along with the report. I did not read them until I had made a long preface. They say I spoke ten or fifteen minutes. I suppose I did, for I was very anxious. I saw I might stir up opposition; that persons might feel, "Now we do not want that done." I talked as quietly as I could as to the effect of them; I analyzed our basis and showed how much we were surrendering to them, and that we were doing all we could do in allowing them to stay in our church as ministers, while holding a position which we did not think was Scriptural. I showed them how much we were giving up. And then I made a personal appeal to all whom I could influence in the Presbytery; I said, "Let us condemn the meeting, let us condemn the Platform, and then accept the men on that basis." Why did I do that? Well, my Brethren, I can name three or four men, Dr. H. H. George, Prof. W. J. Coleman and Rev. W. R. Laird,—that I remember distinctly, rose in their places and said, that before I had presented the resolutions they had determined they would not permit the church to be surrendered. I made my personal appeal to all whom I could influence. I did what I will never do again; I appealed to the consideration they might have for my judgment, that they would not put themselves in opposition to the basis, but allow it to go through, and satisfy themselves with simply condemning the Meeting and condemning the Platform, and then accepting the basis.

All the explanation I could make did not remove the suspicion the young men had that I was doing an unfair thing. I explained it at great length, that they would not have to accept it, that they did not have to give their approval to the resolutions at all. Brethren, it has been published over and over again that those resolutions were an amendment or an addition, or a codicil to the basis; and it has been called all kinds of things, and it has been said that I came in and forced

through that Presbytery an addition to our basis of agreement which these men would have to accept. And I believe some of the brethren in the church have the idea that we tried to force the addition to that basis of agreement with these men; but it is not true, and it was explained as plainly as words could explain it, that it had nothing whatever to do with that. They had gone as far as they could: Presbytery

would do the best it could to avoid a trial.

Now, I want to submit: Was it too much? Our Presbytery believed that that Platform was a mistake and contrary to the standards of our church. They were making an effort to allow men to remain in our ministry who believed in that Platform, and they had a right to say to the people to whom that basis had been submitted, "That basis is not according to our standards." They had a right to say that to the people. They had no right to give them back their pastors and say, "These men are free from anything that is wrong," without saying to them, "We do not approve of that which they have uttered." It may be their private opinion; let them hold it as a private opinion. But, my brother, Pittsburgh Presbytery had the right to put in the antidote: it was the very least she could do She allowed them to protest against it. She allowed them to protest on the Minutes against it. It was not any part of the agreement. But what followed when that was proposed? Why then came the next step; these brethren one after another got up and began to say, "That is a rider; we won't accept that." They said, "That report is not a true representation; we didn't sign that basis as it stands; we signed it with explanations."

Rev. J. R. J. MILLIGAN: I just want to call your attention to this: This morning I was speaking myself on this matter and I explained that I was not at that second meeting of Presbytery. Will the speaker kindly keep this in view?

Dr. GEORGE: I will. Rev. J. R. J. Milligan and Rev. A. W. McClurkin were not at that meeting. Some of the other brethren undertook to speak for them and said Mr. Milligan would just fall in with them. It was an unwarranted state-They said there were explanations that had not been reported. Now think of that in a church court! Our Committee had submitted to them a basis which we said was the basis agreed to, and these young brethren rise and say, "There were verbal explanations that were part of our understanding and which that Committee should have reported together with the basis." Is not that what they said? Now, what do you think Presbytery would do after that statement was made by the young men? A member who is not with us now arose and stated there were reservations, and when matters became a little warm he said there were things occurred in that Committee which, if he would state them, would startle the people. It sartled the people when he said that,

It startled me so much that I saw our Committee was being represented as acting dishonestly; they were representing to Presbytery something that was not in this basis, and that we

did not reach an agreement at all.

I arose and said I only knew one thing which had occurred in the Committee which the brother could refer to as a reservation, and that one thing was, that he had called attention to the fact there was an engagement in that basis that they would enforce the law of the church, and he said there was an old case in his congregation that had occurred under a former pastor, and he wanted to know whether if he signed that basis he would have to go home and bring up that old case and apply the law of the church; whether he would be bound to do that. And I stated, the Committee had told him that it simply bound him to exercise the usual discretion of a pastor in dealing with cases of violation of the law. That was the only thing that I can remember as being a reservation.

That brother said on the floor that that was not the case at all; that the case was this: That the man was continuing in the violation and the agreement was, that he was not to enforce the law in that case because it had grown up years before. My brother, Dr. Willson, arose with his eyes, and perhaps his mouth, open, and he said, "My brother, we did not understand that." This brother said, "Why yes, that is just what occurred, that was what I said; that it was agreed that the law should not be enforced with reference to that old case." Dr. Willson said, "Well, that means you signed an agreement to enforce the law of the church with the understanding you would not enforce the law. We did not understand it that way. We thought that was an old case." Now, Brethren, I want to know how long it would take young men to awaken distrust in the mind of a church court when they openly state that they had signed a basis of agreement with an understanding of that kind. A solemn agreement that they would enforce the law of the church, and then state distinctly that it was understood they would not!

Dr. McALLISTER: They did not sign an agreement.

Dr. GEORGE: I say, that explains how Presbytery lost faith in that agreement. Now it begins to dawn on your minds, I hope, that the breach of faith came from some other quarter.

A MEMBER: To avoid subsequent misunderstanding, I think we have understood, the agreement was not signed but

agreed to

Dr. GEORGE: Yes, it was not signed but agreed to. I am glad you corrected me in that. It was not signed but it was agreed to. I am trying to explain how that basis of agreement failed. It was dishonored. It was not dishonored by our side; it was dishonored by the other side. It was dishonored in the first place by breaking faith in disclosing be-

forehand; in the second place by misrepresenting the facts in the case in the disclosure, and in the third place by their declarations on the floor of Presbytery with reference to understandings being a part of it. It was all past in very little time in Pittsburgh Presbytery. They began to think there was double play going on, and it did not take Pittsburgh Presbytery long to decide which of those two papers it would The two papers were submitted, and were argued and considered together. I put my resolutions in before the other was adopted, because I knew the other could not be adopted without them without discussion, and I knew discussion was doomed to kill it. I put them in, asking that they be passed before, because I felt they ought to pass before: in view of the denials that were put forth, that Presbytery, deciding that these men should remain in the church should make this provision for the safety of the church. And I put them in because I was persuaded that Presbytery could do no less, and these brethren could not refuse to accept that much. When it was said by them they would not permit us to express our opinions on the East End Platform, the Moderator said, "Why, the East End Meeting did not hesitate to express its opinion on the principles of the church, and Pittsburgh Presbytery certainly can pass on the East End Platform."

(On motion the Court adjourned until to-morrow morning at nine o'clock.)

MORNING SESSION.

FRIDAY, JUNE 5th, 1891.

The MODERATOR, after the usual opening exercises, announced that the Court was ready to resume the hearing of the defence in the appeals and complaints which were before the Court at the time of adjournment the previous evening,

and Dr. R. J. George had the floor.

Dr. R. J. GEORGE: Mr. Moderator, I have been requested to explain the connection between the paper that was yesterday in the hands of Rev. A. Kilpatrick, and the report of the Committee on Discipline, and how that correction, made in Mr. Kilpatrick's report, affected the charge made against me of having changed the record. I wish to make that clear to you, both for Brother Reed's sake and for my own sake. The Committee on Discipline recommended that the Committee on Supplies nominate the members of the Commission to have charge of this work. Presbytery changed it to a Committee, but they left in the hands of the Committee on Supplies the nominating of the members. Mr. Kilpatrick prepared his report knowing that it was to be left to them to nominate the members, and he had written "Com." for Commission I presume; at all events, when the Presbytery decided on a Com-

mittee, Mr. Kilpatrick interlined the closing part of the word in his report,—'the members of the Committee.' That appeared in lead pencil as an addition, and the papers being reviewed by our brethren, it occurred to them as a possibility, and seems to have assumed the form of probability, if not certainty, that I, having decided to make it a Committee and not a Commission, not only changed my own report and conformed the other report with it, but also that some one else was in collusion with me and made the change in the other

report, -at least both changes had been made.

The significance of Mr. Kilpatrick's correction is this. Like myself he retained in his hands the report which he had prepared in order to carry out the business suggested in it, and that report he mailed afterwards to the clerk of the Committee, and providentially it came back to his hand by a telegram for it yesterday, bearing still the envelope in which he had mailed it from his home to the home of the clerk. So that by no possibility could it have been in my hands. That was what was brought out, and it satisfied our brethren, I think, fully that I had not anything whatever to do with that

change.

Now, I hope the connection between these two things is clear to all of you. I hope you see the force of the fact that the Committee of Supplies have put into its report that it was a committee, and not a commission. I think that that will settle in the minds of all of you, that while, as I said, I believed the young brethren thought it was a commission, and our chairman thought it was a commission, yet the fact was, Presbytery made it a committee before she allowed it to go out of her hands. Therefore, I think, that every conclusion that has been reached in the mind of any of you on the idea that there was deception as to whether this was a committee or a commission, must be dismissed on this clear evidence that our Presbytery appointed a committee, and that it was as a committee we sat. I am willing that my brethren shall have all the benefit they claim from their having been mistaken. I think, from henceforth they will not use the word "deceive," which they have used, in connection with this matter. They have said that they have been deceived. They were not deceived; they were mistaken as to what it was. Some difficulty has grown out of the mistake, but the mistake was not mine. I had no responsibility for it, nor has the Presbytery any responsibility for it.

The matter under discussion, when we took our recess, was the subject of breach of faith with reference to the course of the conclusions of this Judicial Committee. I wish to call your attention to how very large a degree our brethren have rested their case on their ability to prove a breach of faith with reference to the transactions of this Committee. I am the more anxious to speak of this, because from all the papers

that have been presented with reference to this case by those from a distance,—hundreds of miles away,—it is evident that they have had this impression away from the bounds of Pittsburgh Presbytery; and there has somehow or other come to work into the mind of the people that there has been some breach of faith. If that were true, it would be right to complain of injustice and wrong. If that were not true, every

opinion that has been based upon it must give way.

I wish to call attention to the points I have made with reference to this breach of faith when we separated last evening. You will notice that the charge is twofold: a. A breach of faith with reference to a member of that Committee offering resolutions in the Presbytery that should not have come in connection with this report according to their view. That was a breach of faith by an individual while concealing himself under the attitude of a member of the Court, and not as a member of the Committee. b. A charge of breach of faith by the whole Committee, on the ground, as appears from the record, that this whole Committee united in recommending unanimously that their report, which they had agreed upon with these young men, should be laid aside and the basis of agreement adopted by Presbytery should take its place with reference to Mr. J. R. J. Milligan. This second point is pressed very strongly by our brother J. R. J. Milligan. He made his point very clear, and apparently very strong, that he had not himself rejected this basis of agreement, and that, as a matter of good faith to him, the Committee should not have moved that that basis lie on the table and another basis. prepared by Presbytery, take its place. Now, I think I have made clear the ground upon which they charge a breach of faith by the whole Committee, and I am sure it is clear in your mind as to the ground upon which they charge a breach of faith upon my own personal part. At the time of adjournment I had shown that there was an express agreement, that the conclusions of that meeting of the Judicial Committee should not be disclosed until the meeting of Presbytery. A member asked me this morning to fix the dates between these times as far as possible, so they would be able to judge of what results might be brought about in that lapse of time; of what room there was for changes to be effected. I see at once the importance of that to my argument.

I have not noted, in preparing my notes, in every instance the date. I should be glad at any time to have them stated by others, and allow the Court to take the time to find them, but I will fix them just as far as I can. Now, fix in your mind this: The Judicial Committee met on the 21st day of October, 1890, and that Judicial Committee called a special meeting of Presbytery, to convene on the 4th of November. The point that I made was, that in this lapse of time the breach of faith occurred.—the first breach of faith with reference to this

agreement; and that it did not occurr on the side of those who represented the Presbytery. I wish to call up to your mind again the evidence that I presented to show that this was true. The first matter is, that the next morning after our meeting there appeared in the public press of this city the announcement of the triumph of the Liberals, in the heading of at least one paper. There was reference to it in several of them. There were different suggestions, but the idea was, that Presbytery's position had been yielded. There were other references which indicated that an amicable and peaceful settlement had been reached. I do not think that that would be regarded as a breach of faith by any of us. We all felt that that was true. But any representations to indicate or to anticipate the meaning of our transaction, by saying that it was a triumph of one side against another, was wrong, from whatever source it came. I do not at this point charge it upon

any one.

The second thing is: The communication which I read in our Banner for November, 1890. I shall not read it again this morning, as I do not wish to waste time unnecessarily, but I want to fix in your minds how much depends upon it. That Banner was received in this city on the 7th day of November. Our special meeting of Presbytery was on the 4th day of November. But the article, which appears on the cover of the Banner, must have been in print before the special meeting of Presbytery. The article undertakes to set forth the results of our meeting. It bears the mark of having been written by one who was acquainted with what occurred inside the meeting, for the reason that it refers to these fraternal salutations that passed, and to certain other things that were known only to the members of the Committee. It claims a complete triumph for the Liberals. It asserts that this vindication was so complete, that the member who had brought their cases before the Presbytery, with reference to two of them, had made himself liable to be libelled himself under our Book of Discipline, which says that one that has preferred a charge and failed to support it, is liable to be dealt with instead of the one against whom he has preferred the charge. These are the representations made as the result of this meeting.

The next point which I made in regard to that was this: That this account of the meeting and of its results, bearing the mark of coming from one of the six (for I wish Brother J. R. J. Milligan to notice that he is still identified with them in my discussion),—I say one of the six, because Rev. A. W. McClurkin was not at that meeting; but all the others were at it,—one of the six must have been connected with that communication. I presented this additional fact,—I gave the name of two correspondents who had written to me from the East, and who had expressed views in exact harmony with that presented in this article. I think I shall recall the langu-

age again. The letter from Rev. J. W. F. Carlisle, with whom I had been talking over church matters, said, that, from the reports he heard in the east, the only confidence he would have that the church's position had not been surrendered, was the confidence he had in the men who composed the

Judicial Committee.

Rev. J. W. F. CARLISLE: May I rise to explain? I want nobody to understand from what Dr. George has said, that I have been writing letters in reference to this trouble. only letter that I wrote was a letter to Dr. George in answer to a question as to whether or not he could come on to Newburg, to hold National Reform meetings under the Christian Endeavor Society. I answered that letter, and in the letter. in a small paragraph, I said that there were reports of that kind in the East; that I had no faith in them, because I knew that there had been a strong Committee appointed by the Presbytery that would see to it that the principles of the church were maintained. Dr. George is right, but I do not wish to be understood as having any hand in this trouble at all. I have written no letter except just a casual paragraph. It was merely hearsay on my part. I had received no letter, and had nothing except mere hearsay.

Dr. R. J. GEORGÉ: I meant this morning to call upon these brothers, because, as I said, my veracity is attacked. I have been put on the defensive. I stand simply on the defensive. I am defending my Presbytery, but it has been made to hang about myself, and of course I am defending myself. And I understand that I am not to assume, after what has been said about my trustworthiness, that you are to rely upon my unsupported statements. I meant to call upon Brother Carlisle. I had not asked him about consulting them. I want Brother Foster now to say whether he had

written to me.

Rev. F. M. FOSTER: I would say that I wrote to Dr. George, and I feel sure I put the language even stronger than he recited it.

Rev. J. S. T. M1! LIGAN: Did Brother Foster receive any communication from any of these six in regard to this

matter?

Rev. F. M. FOSTER: Not from the six.

Rev. J. R. THOMPSON: Did Brother Foster receive his knowledge from the newspapers? I know that is the way it came to Newburg and Mr. Carlisle got it. It was published in the newspapers.

Rev. F. M. FOSTER: That is all I know.

Mr. D. TORRENS: I hope there will be no interruption of the speaker. He is going on to present the clear facts as he understands them, and I for one want to get them.

Rev. H. W. REED. I would like to know the date of

these letters, written by Mr. Carlisle and Mr. Foster.

Dr. GEORGE: I would have to say that I am not sure. I may have the letters in my possession, but I have them not here. I have stated the nature of them.

Rev. H. W. REED: Were they received before or after

the 4th of November?

Dr. GEORGE: My conviction is, they were received before. You will understand the connection of this. That the information had gone out, had been widely circulated and had awakened apprehensions that Pittsburgh Presbytery had not sustained the church as it should. That this result (I do not care to lay it anywhere else more strongly than I have, but I submit to you the measure of eyidence I have) could not have come from the Conservatives; that it was of the kind that seems to indicate that it came from our brethren from the other side, and that it was a disregard of our agreement to keep these matters to ourselves until Presbytery had acted upon them.

The next point I made in connection with it was, that these views, being given out, were given out with the understanding in the minds of these brethren, that the Presbytery was not to meet until next spring,—I mean the spring following that meeting. They regarded the case as having been settled. They went away, feeling there was to be no more of it, and that this basis of agreement was not to go before the church

until the meeting in April.

Now, to the character of these reports, I think, you are to trace the first difficulty with reference to the adoption of the basis of agreement which the Committee had decided upon. They were so widely spread, and they were so strongly presented on that side, that they had simply this effect: to bring Pittsburgh Presbytery to a special meeting with a remarkably full attendance, and with a very fixed purpose. I hope it begins to dawn on the mind of Synod, that, although Pittsburgh Presbytery may have men who are called "leaders," she has not got any man, or one-half dozen men, who can control her action. I think it has dawned upon your minds that there is no combination among leaders, if there be such, in this Presbytery, because since our coming together, and with these delicate cases before us, in which it would have been supposed we would act together, we are found antagonizing each other on this floor, holding different views and daring to assert them independently. Now we are just so in Pittsburgh Presbytery. We all think we are leaders, or that seems to be the view. And so, although it may seem to you that a committee, consisting of the Moderator, of Dr. Sproull, of Dr. Willson and of the leaders who are represented in that Committee, could go into Pittsburgh Presbytery and guide its action, if they were determined to do it; when you reflect on the names that I mentioned yesterday, of men, one of whom is taller than any of us; another of whom is heavier than any of us; any of whom are as strong as any of us in appealing on the floor of Presbytery.—who were there, determined to see that if this Committee had surrendered the church, as published report said it had, that its basis should not go through until the church had been vindicated. I would like to have men understand that there was a reason why any one who desired to carry that report through, should hesitate, or should feel called upon to seek to avoid a collision with the Presbytery, in the consciousness that you could not carry anything in this Presbytery that did not maintain the rights

and Covenant of our church.

Now dismiss from your minds the idea that this Committee could assume to put its basis through. It could not do so. Not only could it not, but there was no possibility of it unless it could be made acceptable generally to those who were determined to be loyal to the church. I was in a position to come to a knowledge of that fact. As I said vesterday, my brother, Prof. Coleman, was in interview with me frequently, and he had heard these representations. He was one of the men who said this Church must stand true to her principles. although he said generous things about the brethren. He was profound in his conviction, and he was anxious about these reports. I can call Prof. Coleman to the floor, if it is necessary, to say in the presence of this Court, that he did not know from me, until that report was read on the floor of Presbytery, what we had decided to do. He is my brother-in-law, and he did not know from me. I said, we shall keep the faith with regard to keeping this thing quiet until it comes to Presbytery. But I did know from Prof. Coleman, and I knew from the other sources to which I have referred, that the matter was not settled, and that it would be a delicate thing to deal with our basis of agreement. I had submitted to you yesterday, an analysis of that agreement, showing what it had left out, - that it made provision that these men should be retained in the church, and in her ministry, while they continued to hold a view, which they had publicly declared in their Platform, and that we regarded as inconsistent with our standards and with the Scriptures.

It was a wonderful undertaking to say that the Church was going to determine that that could be done; and it was not a certainty she could be defended on the floor of Presbytery in so doing. But, Brethren. I was anxious about that myself. As I stated before in Court, I was very anxious about undertaking a thing like that. I was looking, dear friends, to what has followed, and we were counting the cost. We knew what it meant to our Church to join this issue. I said on the floor of Presbytery, if young men were asking licensure on this basis, it could not be granted to them; but I said, here are these men, pastors of congregations; tender ties are holding some of them; they are young men, and they are inquiring,

and they may change their views; if we can only save the Church and save them at the same time. I brought myself to the point of doing what I said yesterday, — of taking the floor when the basis was read, and asking the liberty of presenting resolutions, prefacing them with a few remarks. Others thought, and have said, I talked away a good while. I was trying to impress upon the minds of all parties, the gravity of he situation. I did try to impress our young brethren with he gravity of the situation, and I did try to impress Presbytery in the same way. I made an appeal personally that

bytery in the same way. I made an appeal personally that that basis be allowed to go through if possible I submit to you, Fathers and Brethren, in what sense that could be a

breach of faith on my part.

I wish to meet a question here, which I have been asked by members of the Court: Why not have held back these resolutions until Presbytery had acted upon the report of the Judicial Committee and it had gone through? Why not have held them back? I submit there were two reasons for it. The first reason I have already presented to you, and that is, that it could not go through without the resolutions. weighed the matter before Presbytery, and I knew a little about it, and I said to myself: There is only one possible thing that will carry that Platform through the Presbytery, and that is, that the Presbytery itself shall condemn the Meeting, and condemn the Platform; that may possibly carry it, because it gives an opportunity to express their sense of disapproval of what was wrong, and what, I think, we all perhaps now agree was at least unwise and perhaps wrong,—the holding of the East End Meeting; and then it gave the opportunity, in addition to that, of expressing disapprobation of the Platform in the sense in which it was perilous to our congregations, so that they should not be restored to their congregations without the Presbytery giving that protection to its people to which they were entitled; and that this Platform does not meet the approval of the Court, and especially as it had gone out that it was not condemned.

I want to make very clear to your minds that the other reason was, that it would have seemed a breach of faith to have introduced these resolutions after the basis of agreement had been accepted by the Presbytery. If they were to come in at all, without any one questioning their right to come in, they must be presented by any candid man before the Presbytery had adopted the basis with which they were related. I would like to know, if men assert so strongly that it was a breach of faith for me, as a member of the Court, to submit these resolutions before Presbytery had accepted the basis at all, or either party were bound by it, whether it would have been a breach of faith, if after Presbytery had accepted it, and the whole matter had been settled, I had then risen and said: "We will condemn the East End Meeting and the East

End Platform." Now if any man among you feels that I introduced those resolutions at the wrong time I want you to bear that in mind. I did not try to spring that trap on any one. I had my reasons for introducing them. I gave them frankly, and I commend them to your judgment,—that if they were to be introduced, if they were to be presented to Presbytery, that they were to be introduced and considered before—but not as part of the basis offered to these men and agreed to by them.

I think I gave you some account yesterday of what followed the presentation of these resolutions. I want to make very clear to your minds that the resolutions were not presented as any part of the basis of agreement I stated that yesterday, but I mean that it shall be clearly fixed in your mind. The time that I spent (fifteen or twenty minutes, some one said; I don't know how long it was), was partly in making clear the distinction between these two. That was the reason why I insisted that I offered them as a member of the Court.

How could I, as a member of the Committee, offer an addition to this basis as connected with the report? Well. I suppose I could too, in an orderly way, but not as any part of that report. They were not presented as an addition, but as an action to be taken by the Court, and to which these brethren were not asked to give assent. I insist upon you giving weight to that, because it has been published over and over again, after the facts have been laid before the church,—and if I mistake not, laid before the church by the clerk of Presbytery officially,—that this was true. Men have still continued to insist that, in some way, it was made part of the agreement, to which these men had assented, and men have based an elaborate argument or appeal upon it. They have told you how grievous it was to ask them to condemn the Meeting and condemn the Platform which they had declared they believed. Why, of course, it would be absurd; but no such thing was ever done. It was not a question as to wether they should condemn it. It was a question as to whether they would permit Presbytery to condemn it. I want you to remember that Brother E. M. Milligan put himself, if I understood him, exactly on that ground. That is, he understood that the assent to the agreement was a truce in which we had decided,—that is the word he used,—it was a truce between antagonistic parties, in which we had decided that there should be no discussion of this question until the following spring. His idea is, that they had agreed they would not propagate their views against the standards of the church. And according to his view, we had agreed that we would not propagate our views in support of what we believed to be the Scriptural doctrines of the church as relating to the East End Platform. That is, they had gained this: They had met and put before our church a Platform, containing principles assailing the fundamental doctrines of this church, as our Presbytery believed, and as they did not believe. And then, when we were trying to save the church, they had brought us into an agreement, and we had brought them into an agreement, in which, while their Platform was before the church, circulated widely and being read, we would not discuss that Platform or condemn it.

Now, Brethren, I submit to you that they must have had some reason to think that they had outwitted the leaders of Pittsburgh Presbytery. Think of it! They had taken us into a bond by which we could not, without breach of faith, express our views in regard to the East End Platform! We were to have a Covenanter church, whose fundamental principle of practical political dissent from an immoral constitution of civil government was to be held in abevance by her ministers on both sides for six months, and not discussed. We did not make any agreement of that kind; and because we did not make any agreement of that kind, we did not break faith with any one in Pittsburgh Presbytery when Pittsburgh Presbytery proceeded to condemn the East End Platform, as it did. These young brethren protested against the action of Presbytery, and they were allowed to put their protest on our record; and after they were allowed to do that they withdrew their assent to the basis of agreement on the ground of so and so.

I wish to pass on now and present to your minds how this platform continued to be discredited before the Presbytery. I related on yesterday that a brother member said they signed it with explanations and reservations, and that those were to be construed as a part of the agreement. Dr. McAllister suggests that I distinguish between "platform" and "basis." I am speaking no w of the basis of agreement, submitted by the Judicial Committee. I say that these young brethren discredited it before Presbytery by their own act. These brethren declared that they did not accept the basis as it was submitted to Presbytery, but with certain explanations given by the Committee verbally, which became a part of the agreement and understanding upon which they signed it, and which must be considered as equally binding with the agreement, and that there were certain reservations.

I was at the point when we closed yesterday of giving you a sample of these reservations. It was given by a brother who is not before the Court, having withdrawn. I need not repeat this morning the understanding with reference to his view of the obligation that they would maintain and enforce the law of the church. He explained that he understood it to mean, and his understanding with us was, that while there was a case of a breach of the law in his congregation at the present time, it was understood that he was not to go home and put the law in force in that case. We understood from what he

said that there was an old case of that kind, of past years, and that we did not say to him that he should take up an old case of discipline. But we had no thought that we were entering into a basis of agreement binding them to the enforcement of the law of the church with the understanding that in the very first instance it was to be broken. But the brother said, that was his understanding. And so this morning again, you can understand how that basis of agreement was discredited. But he remarked, when he saw we were surprised at that, that he could present something more startling. Perhaps he made the remark in regard to a startling presentation before that was brought out. He said he had something however more startling to present. When I said I supposed he referred to that, he said, No; he referred to something different, that he had asked one member of the Judicial Committee to retire with him, and that he had informed that member that there was an organization; that he had informed him that there

was an organization.

There are a number of things connected with that which I shall leave for my brother to present; but I have felt it necessary to bring out this much for my purpose this morning. This young man stated on the floor of Presbytery that he had difficulty about signing the basis which we had presented, on account of it containing a disavowal of the East End Platform as a bond of union within the Reformed Presbyterian church, because he understood himself to be a member of an organization of that kind, and he was too conscientious to give his signature to it. My brother Dr. Sproull will remember that we were sitting as he and Prof. Willson are sitting this morning. He turned to me and said, "Why, we didn't know there was an organization; that invalidates our basis, because we understood that item to mean that there was no organization." But here it was brought out by the one who was Secretary of the meeting that he understood there was an organization, and such an organization as made it impossible for him to sign in that way. Now, I rose, as the Rev. O. B. Milligan said, - I do not know whether he is here this morning or not.

Rev. O. B. MILLIGAN: Yes, I am here.

Dr. GEORGE: I think it was at that point I arose and said that we did not know there was an organization. And Brother Milligan, going back to the records, found that in a memorial written several weeks before that I said, "They have formed an organization." He brought those two things together before your minds, as you will distinctly remember. He said, "Here is a man who has said and written with his own hand that there was an organization, and now he arose on the floor of Presbytery, weeks after, and he states with his own lips that he did not know until that time that there was an organization. My friends, if Brother Milligan was lost in the

mystery of this until, as he said, it was more profound than that profoundest of all mysteries of our holy religion, the incarnation,—great. he said, is the mystery of godliness.

Rev. O. B. MILLIGAN: I wish to correct the gentlemen at this point. It was not in connection with that at all that I

used that expression.

Dr. GEORGE: I shall not argue it, but you used that expression?

Rev. O. B. MILLIGAN: I used that expression.

Dr. McALLISTER: I think we should insist on knowing

in what connection he did use it.

Rev. O. B. MILLIGAN: In connection with the fact that you agreed to a basis of settlement and afterwards brought in as a member of that Committee additional resolutions which, to my mind, broke the bond that united us.

Dr. GEORGE: You used the language however.

Rev. O. B. MILLIGAN: Yes, sir.

Dr. GEORGE: With reference to my breach of faith?

Rev. O. B. MILII GAN: Yes, sir.

Dr. GE) RGE: I am not much out of the way then?

Rev. O. B. MILLIGAN: You are a great deal out of the

way.

Dr. GEORGE: Now, I want to say that my brother, when he used this language, was speaking with intense heat; that he stated to us when he began that he was unprepared and was not speaking from manuscript, but was under the impulse of the moment. But I am sure it must have fallen strangely on your ears, Brethren, that he brought into such a connection as this an illustration so solemn as that of the coming of the Son of God into our humanity. It was very forcible. But, dear friends, members of this Court have said to me, it was blasphemy.

I do not believe our brother thought of such a thing or would, but I want him, when he is on the floor, to say that he did not mean to be profane. I want him to do that for his own sake, not for mine. I was compelled on yesterday to clear up the charge, that I had mutilated the Minutes of the Court after the Court had adjourned, in order to carry my point. I was charged most distinctly with this offence.

Now, you will understand. dear Brethren, that this is the second charge preferred against me.—that I had falsified, in that I had stated that to be true at one point as known to me, and at another time said that I did not know it. I brought forward on yesterday the ground upon which the first statement was written. It was threefold: 1. The announcement made in the Commercial Gazette, the authorities for which, as given, were Revs. O. B. Milligan and H. W. Temple, that an organization was formed. 2. The second was the statement by Prof. J. K McClurkin, about one month after that time, stating that a society was formed and had adopted its Plat-

form, and spread it broadcast. 3. The third was the Platform itself, which asserted that, We, the undersigned, do agree together for the maintenance of certain principles; which was a statement that any reasonable person would suppose meant that there was an enrollment, an association, a platform, and an object to be sought. It would be understood by any reasonable man as meaning there was an association. That was the official document put out by these intelligent brethren as an explanation of their own opinions, according to their own words.

Now, I say to you, as a candid man, reading the words of candid men candidly. I thought they meant to say they had organized. And so, having the corroboration of Prof. McClurkin and of the Gazette, whatever weight it carries, that they had organized, I wrote a memorial in which I said, "They have formed an organization." I submit that I had sufficient evidence upon which to say that, as we usually accept testimony. I have suggested to you this morning the ground upon which I came to the conclusion that I did not

know that they had an organization.

These brethren had been before our Presbytery and made their frank and candid statements; and as far as I recollect. none of them admitted in those candid statements that they had an organization. It would have been a most important part of the case. We are charged here with having sought the evidence in this way, and with having obtained it in this way. I call attention to the fact that that same brother, who, when the Judicial Committee met, said that he could not sign that basis because they had an organization, did not say on the floor of Presbytery, in his candid statement, that they had formed an organization. I think he was justified in withholding it if he did not intend to tell all the truth, because he is the same brother who said that he thought we were looking for evidence to convict them. Now, I think that thought was in his mind, and I don't accuse him of having held back anything he was bound to state. He was not bound to state it: it was purely voluntary, and he went just as far as he thought it wise to go, and he didn't go that far.

But he was not able to sign this basis of agreement without setting himself right on that subject of organization. The basis of agreement, however, was signed—not signed, I am using that word again mistakenly. It was agreed to, and we agreed to report it as such, as agreed to by all the ministers who were present. In it was contained that statement, that they disavowed the East End Platform as a bond of union among themselves within the Reformed Presbyterian church. Now I, as a candid man, dealing with men who, I thought, were dealing candidly with me, thought these men had said, in signing that agreement, that they did not understand that

they had an organization.

I also want to fix in your mind that I am not bringing out all with reference to the man who admitted there was an organization. My brother, Dr. McAllister, will bring out the other facts, and you are to hold them in reserve until you hear his statement. What is necessary to my case is, that the Rev. H. W. Temple, who was Secretary of the Meeting. and who had been publicly announced as its Secretary, on the floor of Pittsburgh Presbytery said they had an organization. Now, you see I had at one time stated they had an organization. I have given the evidence on which I rested that statement. also said, "I did not know they had an organization." I have given you the reason why I did not know. It was because I thought we had the full facts before us in regard to that Meeting, and I thought a candid understanding of that first item would lead me to believe they did not have an organization. I was thoroughly willing to believe that, and very glad too. I was relieved. . said, "I did not know." Then, when this brother stated, as Secretary of the Meeting, that they did have an organization, I thought again I did know it. Now, I want to find out how much falsehood I told. My Brethren, I do not know which of my statements is true. You can judge of that as well as I can.

What I want you to mark is this: That there was a false-hood somewhere—somewhere! They either had an organization, or they did not have an organization. My information came from the same side of the house all along, that they had one in the first place; that they did not have one in the second place, and that they did have one in the third place. My sin before you, Brethren, is not that I told a lie, but that I believed one, and that a sincere and trusting man may some-

times do that, I submit.

I have been arraigned here as having falsified, and these are the specifications given to prove that I did. My brother has made it just as bitter as he could, and I sat at that table and I listened to it, and he looked into my eye and I looked into his eye, and neither one of us quailed, as far as I could see. But he was charging me with having stated a falsehood, and he was giving you the specific items upon which to make up your judgment. I do not know how many of you thought I lied, but I believe, a good many of you thought I did not intentionally do so. It was charged with very great heat, and it made very great sensation, and I felt a very great sensation in my heart.

Now, Brethren, I want to submit a case. I do not know whether the pastor of the Brooklyn church is here or not.

Rev. J. F. CARSON: Yes, sir, he is here.

Dr. GEORGE: On the floor of our Presbytery came a telegram, I think in the form of an affidavit, made by the Brooklyn pastor, affixing his oath, as I understand, to the statement that there was no organization formed at the East End. A

few moments after it was read, the pastor of Parnassus congregation, very well acquainted with all the circumstances, and an intimate friend of the Secretary, stated on the floor of Presbytery that the official Minutes of the East End Meeting would show that there was a permanent organization. I believe he used the word "permanent;" at least "an organization." I do not overstate it.

Dr. Mcallister: He used the word "permanent."

Rev. E. M. MILLIGAN: Allow me a word.

Dr. GEORGE: Wait until I get through and then you can have a word. Those two things occurred within a few moments in our Presbytery, and I can say to you frankly, that it was not in my heart to say that either my brother Carson or my brother E. M. Milligan lied.

Rev. E. M. MILLIGAN: I wish to say-

Dr. GEORGE: Just wait until I get through. It was not in my heart to say such a thing. Here are two men who were at a meeting, and they looked at the same things, perchance; but they are ministers of Christ, and I have no knowledge in all my life that either one of them told a lie. said, "there is a mistake, there is a mistake." And I would not for anything in this world have put myself before the community as believing that that oath, and that word (that I would have taken just as readily as the oath) meant that one or the other-of those gentlemen was untrustworthy. my esteem of ministerial character, and that is my conviction of what is due to brotherly love, of which we have heard a good deal. And so I say this morning as I said vesterday in my own defence, that, when my character is thus impugned by men who are here asking you to vindicate them from injustice and wrong done by me, that you shall take notice of how I have been treated by these same brethren. You would not have done it? Oh, I think it is too bad! It is too bad that I have to follow a line like this! But I must, and you will have to just wait and listen to me. I insist that men cannot come before this Court and make such appeals as have been made to you about the injustice that has been done to them, and the cruelty and wrong. They cannot stand before this community and proclaim the high-handed, tyrannical and crushing power of Pittsburgh Presbytery, and undertake to vindicate themselves along a line like this. If I seem to be earnest I want you to put yourselves in my place, and stand here before this audience and before this Court. Another thing, my brother E. M. Milligan stood over me with uplifted hand. I wrote away: I was not writing very carefully, either, but I did not care to make known the fact.

Rev. E. M. MILLIGAN: I did not threaten you.

Dr. GEORGE: No. You stood over me and charged, that the man, who had framed the call for the Elders' Convention, needed to keep in mind, or should have a more present sense

(I cannot give his exact words), that we are told in Scripture that no liar shall enter the kingdom of heaven; or the other passage perhaps that all liars shall have their part in the lake that burneth with fire and brimstone. My brother, Mr. Samson, did not use such words with reference to me. I think but he expressed, I believe, just as strongly his belief that I had broken faith. Now, Brethren, I do not know what other arguments they have presented than these I have gone over. I have taken up the specific facts with reference to having lied about the organization. I think I have vindicated myself on that, and I am willing to leave to you, whether a man who feels it his duty to defend our church from an assault of this kind has got to defend himself in this Court from assaults such as have been made on me in the name of injustice and wrong. Mr. Carson wished a moment ago to make a statement.

Rev. J. F. CARSON: All I wanted to say was simply this: I sent no telegram to Pittsburgh Presbytery; I went before a Notary in the city of Brooklyn and took my oath, and if I am a perjurer I want this Synod to bring its evidence. I think, my veracity is as good as that of any man on the floor of Synod, or of the speaker himself; I took my oath, and I will take it again, that in my opinion and in my knowledge there was no organization formed in the East End conference; that it was not from beginning to end a permanent organization. That was the oath I took with uplifted hand, before God, and I will repeat it again before my Saviour, and before the Synod of the Reformed Presbyterian church.

Rev. E. M. MILLIGÁN: Allow me in that same connection to make a statement, which I think is due to Mr. Carson, and to myself also, and which, I think, will clear Mr. Carson of

the imputed crime of perjury.

Dr. GEORGE: I imputed nothing. I simply illustrated,

and I appeal to the Court.

Rev. E. M. MILLIGAN: The impression at least—

Dr. GEORGE: I insist, no man should state his impression. I simply illustrated, how things might seem to be contradictory, and both men intend to be truthful. I want you to bear that in mind. I said, I did not believe either man was telling a falsehood.

Rev. J. F. CARSON: Did I not understand you to say that

one or the other lied.

Dr. GEORGE: What I said was, that I did not believe either man intentionally lied; but I said that both statements

cannot be true. Don't you know I said that?

Rev. F. CARSON: No. (Laughter.) It is a mighty easy thing for some members of this Synod to sit and laugh when a man's oath is in dispute, but the laugh may come in on the other side. I want to tell you, men of the Reformed Presbyterian church, that some of us have characters as well as you,

and that we propose to maintain them and will not permit any insinuations by anybody.

Mr. TORRENS: I have objected once, and I again most emphatically and solemnly object to these interruptions.

The MODERATOR: The speaker permitted it.

Mr. TORRENS: These brethren will have an opportunity to respond when their time comes, and can say what they please. But this is doing an injustice to members of this Court who want to get the facts directly from the speaker, and cannot be side tracked in this way by such a line of interruptions.

Dr. GEORGE: I do not understand the objection to be to

my line of remark.

Mr. TORRENS: Not at all.

Dr. GEORGE: I am glad to see that our brethren are so jealous of their characters. When the time comes that they feel called upon to vindicate their characters, I will be at their side. I agree with Brother Carson,—it is easy for some people to laugh. I shall now leave this line. I wish to bring to your minds that I have explained the reasons which led me to present those resolutions at the time I did. and the effect that followed their adoption, and how the assent that had been given to that basis of agreement was withdrawn by these brethren, and that it was thus cast out of the way. As soon as these statements were made by Mr. Temple, and by others of the brethren, as to how they had signed, and especially when it was brought out that there was an organization—

Mr. DOUTHETT: I have become confused, it may be my own fault, but I believe I have a right, as a member of the Court that must decide this case, to ask a question right here. I have become confused as to that word "signed;" sometimes he says they did not sign, and others that they did. Both

may be correct.

Dr. GEORGE: I am going to try to state the fact, and I want you all to keep the fact in your mind, as I stated, and if I don't keep it in mind, remember it is a slip of the tongue. These brethren did not sign the basis of agreement. I think they stated themselves they had a reason why they were not willing to sign a document which they were willing to give their assent to. They did give their full consent to it as a basis of agreement, and their names were so recorded, though not by their signatures, but recorded by the clerk, as assenting to it. It never was signed, so far as I recollect, in any other way than that. Presbytery became somewhat heated and agitated by this discussion with reference to the work of the Judicial Committee, and they seemed at once to get into a resolute frame of mind. A motion was made by a member that the basis of that Committee be laid on the table. It went on the table. A motion was made that we proceed to adopt the resolutions. They proceeded.

The first resolution was a resolution, as I told you vesterday, "That we disapprove of the East End Meeting as having been held without due respect to the authority of Synod." A member said, "Now that it has come out that there was an organization, that word 'disapprove' isn't strong enough; I move we amend it to say 'condemn.' "It went in "condemn the East End Meeting." Then they passed a resolution, condemning the East End Platform as being contrary to the Scriptures and to our subordinate standards. I do not take the time to read these, as I think they are familiar to you. Those two resolutions were passed by the Presbytery, and when they were passed, Revs. E. M. Milligan, H. W. Reed, O. B. Milligan and W. L. C. Sampson withdrew their assent. These are the brethren who have been before you. Now, I want to call your attention just at this point to a statement, made by Rev. J. R. J. Milligan vesterday when charging the Committee as a whole with having gone back on the agreement and broken faith. His statement was this: That there were no facts before the Presbytery that were not before the Committee. I think I have made clear to you that it was not before the Committee as a committee that they had a permanent organization. That the fact was before the Presbytery, that they had, as far as the statement of the call of the Meeting could be believed, and the Presbytery did not question at all when Mr. Temple made the statement that they had a permanent organization, but what that was true. They thought he knew, and that his statement was correct.

A DELEGATE: You used the word "call of the meeting:"

what call? The call of what meeting?

Dr. GEORGE: The call of the East End Meeting. This was stated by Rev. H. W. Temple, who was Secretary of the East End Meeting. I wonder if I am not making myself clear. Rev. H. W. Temple, the Secretary of the East End Meeting, stated on the floor of Presbytery that they had a permanent organization formed at the East End. That fact the Judicial Committee did not know, that they had a permanent organization; and when they signed the agreement, we did not believe they had, because they had signed an agreement, as we understood. or as I understood.—

Dr. McALLISTER: Not signed.

Dr. GEORGE: Agreed to the basis. Now, that was the new fact which I desire our brother Mr. Milligan to take note of. That was the new fact that came before the Presbytery. I submit to you, whether or not it was an important fact? Is it in your mind an important fact whether there was an organization or not?

A DELEGATE: Did any of the four present object to Mr.

Temple's statement?

Dr. GEORGE: Well, you can ask those questions when the time comes.

A DELEGATE: I insist on Mr. Torrens' point. Rev. D. S. FARIS: I rise to agree with that.

Rev. J. R. J. MILLIGAN: I want to say the same. For my own part I can hardly keep these matters straight, and I know all about the case. I do not see how the members of this Court can get an understanding of anything.

The MODERATOR: As there is a proper time for questions, parties will please keep back their questions at present. Rev. O. B. MILLIGAN: I want to apologize to Mr. George

for my interruption. They did not interrupt me.

Dr. GEORGE: I have encouraged the interruptions because I am so anxious you shall get clearly the facts. Now I want to fix again in your minds that on the authority of the Secretary of the East End Meeting there came before Pittsburgh Presbytery a fact which was not known to the Judicial Committee when they framed their basis, and which fact was, that there was a permanent organization formed for the maintenance of the principles of this East End Platform; and when that fact was stated by the clerk that Dr. Sproull, who was the chalrman of the Committee, said to me, "That is something we didn't know; that changes the case." I submit to the Court. whether or not he was justified in saying that, and how much weight you will give that in view of the statement that no new fact had come to light since the Committee

had agreed to that basis.

I pass now to what followed. The assent was withdrawn from this basis and the basis was laid on the table. There was a proposal at this point to grant certificates of dismissal. Now, you have heard something about this proposal to grant certificates of dismissal. Let me tell you one or two things about that proposal. It has been said that in the Pastoral Letter the Committee has stated that Presbytery proposed to give them certificates of dismissal to other churches. I wish to call attention to the language of the Pastoral Letter, which does not necessarily mean that. It states that the proposal was made. I am free to say that I had the honor to make the proposal. It was brought to my mind by the memorial from the New Castle congregation, which stated that this course might be taken, that, if there would not be a basis of agreement, there might be this way out of the difficulty,-a proposal to give certificates of regular standing to brethren who differed from us in views. I thought it would be an easy way of solving the difficulty. It has seemed to some a very strange thing that, when we were at the point where we were about ready to prefer a libel against a man for heinous sin and scandal, any one should propose to get out of the difficulty by giving them certificates of ministerial standing. Now, as I said before. I grant you that there is difficulty, but you are welcome to all the advantage it seems to be to any one. I present it as the argument to show you that the Pittsburgh Presbytery, one member of it at least, was anxious to go to the very uttermost for a solution of this question that would not involve the conflict with brethren.

I came to a profound conviction that the views held by these brethren could not be held by ministers in our church with safety to the church, and that the separation was inevitable. I came to a profound conviction that it would be greatly to the glory of Christ and for the welfare of our church, and for the honor of Christianity, if the separation could be obtained without a conflict. As we had not yet taken formal process,-as the matter was simply brought to the attention of the Court, and no man was libelled,-I thought it might be possible to give certificates that would simply state that these brethren were in regular standing and dearly beloved among us, but that their views had departed from the views of our church, and that they were certified to whatever church they wished to go. I thought that would be a peaceful thing to do. I know there are some of you who think it was a wrong thing, and that their act already was a departure from their engagement, and was subject to discipline. And I know there are some of you who think it was a right thing, because you believe that any one who has changed his view and wishes to leave his church, ought to be

allowed to go.

My brother, J. R. Thompson, has stated on the floor that he thought they had given such a letter to Brother Gregg, and he had gone out peaceably. I did think the matter could be done in that way, and I expect the New York Presbytery to agree with me in that opinion. Then I do not expect the Illinois Presbytery to agree with me. I expect some of them think when it comes to a case like this, authority, as a matter of course, should be maintained. But I say to both these, we mean to claim your vote for this action. If you believe it ought to have been done, I want you to know that the offer was made to do it and the brethren themselves said that we need not trouble ourselves, for they would not accept it. If any of you think we should have done that rather than have this conflict, why, brother, it was their statement that they would not accept it that stopped any further progress in that direction. If any of you think that it was something that should not have been done, I want you to support us because we did not do it. So that, in either case, whatever your view is of that certificate matter, we made the move in that direction, and we claim your approval because we didn't do it, and we claim your vindication for that reason. I do not know that that was the reason we did not, but it was stopped at the point at which these brethren said they would not accept it.

Now I pass one point further, and that is the proposition submitted by the young men. That was the next step in the There was no more chance for reconciliation. procedure.

We could not agree to abide together in peace of spirit and the next step was taken with regard to framing the libel. When we met for the consideration of that case there was a new development, which I wish to read to you. It was a proposition submitted by the brethren. The Minute reads as follows: "On the Moderator calling upon the parties to come forward"—this was for trial—"a paper was introduced by Rev. H. W. Temple signed by the different ministers libelled by Presbytery. The paper was as follows:

1. We do not hold the East End Platform as a bond of union within the Reformed Presbyterian church, but as an expression of individual opinion sent forth for the purpose of correcting current misrepresentations. 2. As officers of the Reformed Presbyterian church we have kept and intend to keep the laws of this church as to voting at civil elections and holding civil office. 3. We will not in any disorderly manner maintain the views expressed in the above mentioned

East End Platform.

H. W. Temple, W. Lloyd Samson,

O. B. Milligan, E. M. Milligan, H. W. Reed."

A DELEGATE: What date was that?

Dr. GEORGE: I have not the date of this extract, but a brother here says it was December 9th. It was the first meeting for trial. Now the question is in regard to this basis submitted, why did not Presbytery accept this basis? It sounds very much like the basis which had before been agreed upon by the Committee, and which I had better read to you. Let me put the two together so you may see how they compare: "We disavow the East End Platform as a bond of union within the Reformed Presbyterian church and as other than an expression of individual opinion." That is the first on our side as the basis of agreement. The paper submitted by the breth-ren—

Dr. McALLISTER: On the side of the Judicial Committee

Dr. GEORGE: The basis of agreement with the Judicial Committee. The paper submitted by the brethren reads: "We do not hold the East End Platform as a bond of union within the Reformed Presbyterian church but as an expression of individual opinion control for the purpose of correcting current misrepresentations." It is a little fuller but it does not seem to be very different: "As officers of the Reformed Presbyterian church we have kept and intend to keep the laws of this church as to voting at civil elections and holding civil office." "We will not in any disorderly manner maintain the views expressed in the above mentioned East End Platform." The last item of the basis of agreement with the Judicial Committee is this: "We engage not to propagate contrary views to the above while holding the position of ministers of the Reformed Presbyterian church." You notice

the difference between the two. In the one case they say, "We will not in any disorderly way maintain the views expressed;" in the other case they engage themselves "not while ministers of the Reformed Presbyterian church to propagate contrary views to the above." There were two difficulties about accepting this basis. The first was that these brethren did not regard the East End Meeting as disorderly. Mark you, they protested against the action of Presbytery saying it was disorderly. They did not believe it was disorderly, and the information of Presbytery at this time was, from the Secretary of that Meeting, that they had organized,-that they had organized,-for the propagation of these views. Yet they protested on the floor that Presbytery should not say that that was a disorderly meeting or that it was a meeting to be condemned. Now they submit to us a basis in which they say, "we will not in any disorderly way maintain the views expressed in the above mentioned East End Platform."

I want to know how much significance that could have to the Presbytery that had condemned the East End Meeting, as long as they held that Meeting to be an orderly procedure? They understood it was the right of private conference,—that it was the right of free discussion,—and that it was a right they could not waive as Reformed Presbyterians and Covenanters! Well, Pittsburgh Presbytery felt it was a wrong which the Reformed Presbyterian church could not permit,—the organization of a company within herself on a platform that they regarded as against her standards. There is a very wide difference, and as long as that difference remained the significance of that term vitiated the whole proposed basis.

Now it has seemed to some a very unreasonable thing that we did not accept that, and yet do you not see that if we accepted that we yielded what was the whole question at issue, —the right of men so to propagate their views? Presbytery did not regard the thing as settled. It was the last hour, just before the trial, and the desire still remained with us to avoid it. Presbytery laid that on the table and took up its own basis of agreement, or rather, not its own basis, but the basis submitted by the Judicial Committee, -upon which the following action was taken: "The amendment of the first item of the paper tendered by the brethren libelled, which was under consideration at the time of taking recess, was taken Item 1. of the paper was amended as follows: You understand this paper to be the one submitted by these brethren, and it was amended to read as follows: "1. We disavow the East End Platform as a bond of union within the Reformed Presbyterian church and as other than an explanation of individual opinion; and we hereby announce our withdrawal from the organization formed at the East End Meeting." That is the basis of agreement as prepared by the Judicial Committee, with the addition, "and we hereby anmounce our withdrawal from the organization formed at the East End Meeting." Why did Presbytery put that to it? Because Presbytery had gotten hold of that new fact, that there was an organization. When this basis was adopted they had the testimony of the Secretary of the East End Meeting that there was a permanent organization. Pittsburgh Presbytery regarded that as a vital point, and they put into this basis the addition that they should withdraw from the organization formed at that time. Was it not a reasonable thing to do in view of the new light they had received? I think it was.

Item 2. was taken up. Moved to substitute the following: "2. We engage to abide by the existing laws of this church as to voting at civil elections and holding office, and to carry them out in the exercise of our office." The only difference between that and the other as far as I can see is, they say, as officers we agree not to do so and so, or to do so and so; and in this case they agree to carry out the laws in the exercise of their office. You may say that is a distinction without a d.f-

ference, but it is possible it may be misunderstood.

There are some who hold a higher standard for officers than others; and men might say, we will not as officers, or we will as officers, do so and so; while in the other case it means, "we will as officers exercise the discipline of the church;" and in that way I think they meant just what we mean. I do not know why they departed from our form. If they meant the same thing, I don't know why they changed it. I think they should have held to the basis of agreement which we had already formulated if they meant the same thing. Presbytery thought that was substantially the same thing; it held firm and substituted the old form.

Item 3 reads: "We engage not to propagate contrary views to the above while holding the position of ministers of the Reformed Presbyterian church." That was substituted for their statement that they would not propagate in any disorderly way. I have shown you why that was substituted. Now Pittsburgh Presbytery offered that basis to them and they declined. That was the last offer, as I remember, of reconciliation, and there the matter came to issue and the

trial followed.

Now, Brethren. I have followed this case down as carefully as I could through the different steps. I wish simply to close as speedily as I can,—I am surprised I have taken so much of your time,—by calling attention to two or three points made by these brethren in their speeches. I think you will notice, if you have accepted the argument as presented, how it almost entirely sweeps away their claim of injustice and wrong. What they shall have to say in rejoinder to it you will hear. I wish to call attention to these points in Mr. Reed's ad-

I wish to eall attention to these points in Mr. Reed's address. He objected that the Minutes were incorrect. My

understanding was that they had a complaint here in regard to the correction of the Minutes and that at the beginning of the case they withdrew their complaint on that point. I have this to say, however, in regard to some of the statements made as to the unwillingness to change the Minutes at their suggestion, that you have seen the same thing in this Court. The Court insists that the Minutes shall simply be its conception of what it has done and what occurred, and that it cannot always incorporate what seems to a member to be what occurred, and it is probably true that in every instance they did not get their corrections made, but they withdrew their complaint on this point.

The second matter is,—he stated that there was no attention paid to the two petitions, Now you have heard a great deal about the petitions from the congregations, and much stress is laid upon them. I wish to say that if he means by this statement, "no attention paid to them," that they were not respectfully heard, he is mistaken. I am satisfied that that is not what he means, but, that they were not granted. I submit to you that in judicial procedure a church court cannot always grant the petitions that are sent to it with refer-

ence to pastoral relationship.

In the third place, they declare that we ignored their declared purpose and imputed another with regard to the publishing of the East End Platform. They say that they had declared their purpose and we ignored their declared purpose, imputed to them another, and prosecuted them on that. By Brethren, my answer to that is this: Presbytery dealt not with a purpose, but with a fact. She was not dealing with a purpose, but with a fact. A man may strike you a blow with a club, and you complain it hurts. Well, he says, "It is not my purpose to hurt you," and he gives you another blow. It hurts all the same. Men may put out a platform of principles that attacks the church, and they say, "It is not our purpose to do any harm;" but the fact remains, and it is not a sufficient answer to say that you are imputing a wrong purpose. The East End Meeting was a very definite thing, and its Platform is a very definite thing as well.

Again, the statement was made: "We were deceived by the Judicial Committee." For this statement four reasons were given. They say, it had the form and it had the powers of a judicial commission. My Brethren, it had no such powers. If it had had, then it would have settled the case. It was because it had not the powers of a judicial commission that it could not settle the ease. It was stated that it was appointed according to the procedure of appointing commissions. Well, it was just as well appointed according to the custom of appointing committees. There is nothing in that whatever. The speaker also said that he was asked to attend a commission. I believe that, because the chairman thought it was a

commission, and he asked them in that way. It was constituted as a commission, he says. He did not know that at the time. He learned that afterwards from the Moderator, but he was not present at the constitution, and so he was not deceived at the time by the fact of it being constituted in that way. The Committee was constituted in the morning, and these brethren were not present when it was constituted. Our brother was not deceived by that fact at the time, as he was not there to be deceived, and did not know of the fact at the

time to be deceived by it.

There are two or three points in brother E. M. Milligan's remarks, to which I wish to refer. He made this generous statement, and when I get hold of a generous statement, I like to use it. He said, "We believe the majority honest and sincere." Well, it is something to have that much recognized when men are complaining of injustice and wrong,—that he believes the majority to be honest and sincere. And he thought it necessary to designate particularly and give due regard to our brother, the Rev. Dr. J. W. Sproull, who he said was through all the proceedings generous and upright in his treatment of them, as he has been all the time. I submit that it was something to have such a leader as Rev. J. W. Sproull, true, honest and sincere, and worthy to be trusted, and with a majority honest and sincere in Presbytery, subject to his leadership,—for he is one of our leaders, and one of the oldest amongst us.

Now I want to call attention to this fact, that Dr. Sproull was the second member of the Committee on Discipline. You have heard of the Committee on Discipline, and of the great wrong that it inflicted in reviewing the papers and enumerating the five or six things which these men were charged with in the memorials. That report of the Committee on Discipline has been one of the grounds of bitter complaint. But brother E. M. Milligan was generous enough to say that the second member of that body was a man who had been fair with them all the time. I want you to notice, that this same Dr. Sproull was the chairman of the Judicial Committee. That was favorable to them surely, that one who was dealing fairly with them, and not any of the men who were persecuting them, was made chairman of that Committee. Again, I want you to notice that this same Dr. Sproull, as the chairman of the Judicial Committee, made the motion to substitute Presbytery's basis for that of the Judicial Committee, on the ground of the new light that had been obtained and which made it impossible for Presbytery to accept the old basis. Yet these brethren hang a great amount of their weight on that fact.

I wish you to notice that Dr. J. W. Sproull, and all those sincere and honest members (no, not quite all of them, I presume, but very nearly so) voted for the conviction of these

men when they had heard the trial through. Yet they complain of injustice and wrong! Well, it is a good thing to have this much common ground, and I want you to give due weight to it. There is one point in connection with that thought which I deem necessary to call attention to, lest I forget it at the close. I want to fix in your mind that Pittsburgh Presbytery never had but one basis,—never had any but the one basis. A great many people think that the report presented in the first place by the Judicial Committee, was accepted by the Presbytery. It never was. Presbytery took that report and amended it, and offered to them the amended report.

There are two or three points with reference to J. R. J. Milligan, to which I wish to refer. In the first place he says that Presbytery has committed a wrong against him in not offering to him the basis adopted by the Judicial Committee, for the reason that he had accepted that basis and he never

withdrew his acceptance from it.

Now, I want our brother, when he is on the floor again, to make clear to this Court on what ground the Presbytery was bound to offer him that basis. On what ground was she bound to offer him any basis at all. She never promised to? She made no engagement that she would offer a basis of agreement? She made a good many offers. But when he claims as a right to have offered him the basis adopted by the Judicial Committee, I want him to remember that Pittsburgh Presbytery never accepted the basis adopted by the Judicial Committee, was not bound to accept it, and did not agree to accept it. When they appointed the Committee that Committee was to call a special meeting, because they wouldn't trust the Committee to form a basis they were bound to accept. Presbytery never gave up her right to form a basis for herself. When he insists, Presbytery was bound to offer him the basis which he accepted, he insists the thing was settled. It was not settled. It is perfectly evident that we did not intend that that Commission or that that Committee should settle it.

The next point is: If he holds, a basis of agreement should be offered to him, I want him to make clear to you on what ground he claims a basis different from that offered to the other brethren. Pittsburgh Presbytery adopted a basis which she offered to the other brethren. On their refusal to accept that basis Presbytery libelled them, and it was on that occasion that our Committee moved that Presbytery, having done that, that they would substitute their own basis for the one that had been disagreed to and discredited,—that Presbytery would take that basis in the place of the one which had been submitted by the Judicial Committee

Now Mr. Milligan objects and says that that was wrong to him. I want to know on what ground it was wrong? On what ground? Why, on the ground that he insists that Presbytery was bound to give him what they refused to give to other men. I know he attempts to draw lines of distinction, but I want him to make that clear. He was not present at the meeting when they were tried, and so did not withdraw his assent. That makes no difference. Presbytery had never given its assent to that basis, and so if Presbytery never gave its assent, which was essential to its acceptance, whether he withdrew his or not made no difference. They were not

bound to grant it to him.

What I want to insist upon is this, when he says they were bound to offer him the basis they did not offer to the other men: On what ground does he demand it? The Presbytery had the same evidence that he was at the meeting, as she had that the others were. They had the same evidence that he still adhered to the unscriptural Platform, and that he was responsible for a divisive course by its propagation, as were the others. He expressed no regret for it any more than the others did, so far as I can recollect, and so far as the records show. So I would like to know on what ground he claims to have offered to him a basis that could not be offered to the other mer. What was the exact point of difference?

Mr. Milligan made one statement in regard to the trial which I take the privilege of correcting. As I said at the outset, Dr. McAllister is to review the process of the trial. Mr. Milligan, speaking about challenging votes, or about men voting on his case that had not heard his statement, mentioned among others who had v ted, the elder from my congregation, William Pierce, who is not in this Court; and it was regarded as not indicating a high sense of responsibility for one to do it. I want to say this: That Mr. Pierce stated to me that he did not vote in A. W. McClurkin's case and did vote in Mr. Milligan's case, for the reason that A. W. Mc-Clurkin did not plead in his case, and so he never heard any statement from him, but that Rev. J. R. J. Milligan did plead in his own case, and he heard his statements on the floor, and that he regarded Mr. Milligan's plea as a confession. That Mr. Milligan's statements in his plea were such that he did not see how he could be retained in the ministry of the Reformed Presbyterian church, and he referred to one statement, that is also contained in his published statement, that if he were a student in the Seminary he would not be able to accept the ordination vows of the ministry of the Reformed Presbyterian church.

Mr. Pierce said that it seemed to him that one who could make that statement, that, if he was dissolved of these vows, he would hardly be held as competent to continue the exercise of the office of minister, and that was the way that he accounted for the fact that he voted in the one case and did not vote in the other. As to the question of Mr. Milligan's

being at the meeting, he regarded that as settled by the record that he was there, and the only other fact was the view, and he thought that it was satisfactory. Mr. Pierce is a conscientious man and would not exercise a right unless he felt sure of his ground.

Now I wish to make a few general remarks.

In the first place, it is not a question of the right of private opinion. This has been insisted to be an issue as to the right of private opinion, and some of the memorials here seem to think it is. The Platform of the Meeting was published and spread broadcast. Again, Presbytery went to the uttermost limit, and I would say, beyond the safety line, when it proposed to permit men to remain in its ministry holding as private opinions views that were subversive of the fundamental principles of the church. Is not that true? That when Presbytery actually agreed to submit a basis which granted that they should be permitted to hold as private opinions views that the Presbytery itself condemned as subversive, they went to the extremest limit which any man could ask for himself as to his right of private opinion; but especially after the offensive opinion had been given to the public.

In the second place, it is not a question of the right of free discussion. My Brethren, Presbytery had gone to the uttermost limit in permitting them to argue for days and days against the received interpretation of our standards. That was free discussion, certainly, as far as it can be permitted.

My third point is, that it is not a question of unimportant difference of views as to a secondary issue. It is a great fundamental principle, involving the very life of the church. the integrity of our covenants, our fidelity to the kingdom of Christ, and to our Lord's command. The question is simply this, dear Brethren: Whether men may be retained in the ministry of the Reformed Presbyterian church who have ceased to believe her fundamental principle as to practical political dissent, by promising not to preach to the contrary. And this, my Brethren, must determine in your minds whether the censure is too severe. It is admitted that these views are held and that they are adhered to. It is a question then, whether men who hold these views and adhere to them, and have no regret for having expressed them in a formal Platform, and issued them, can be retained in the ministry of the Reformed Presbyterian church? Because there is no other way to dispose of the fact. If they cannot be retained with safety without discipline, the only way to put them out was. to suspend them. And if they were convicted of following a divisive course by holding these views, there was no other possible disposition of the case, but that they should be separated from its ministry. I wonder when I hear men say that they were suspended for a trivial offence! It is the most marvellous thing to me that, when they have reviewed this

whole course. it seems to them they have been suspended for

almost nothing.

Well, my Brethren, one reason why this sentence must be sustained is, that men estimate the guilt of the offence by the censure you attach to it; and if you say that it is a trivial affair, but a trivial offence, for a minister who has been inducted into the office of pastor of a congregation in a Reformed Presbyterian church to follow a divisive course that brings such results as come from this, it is a strange thing to me where you shall find a ground for serious discipline.

The MODERATOR: Rev. Dr. McAllister has also been appointed to represent Pittsburgh Presbytery, and he will now

address the Court.

Dr. DAVID McALLISTER: Mr. Moderator, Fathers and Brethren, of the Reformed Presbyterian Synod: You will notice that the aim of those who are called upon to defend the Pittsburgh Presbytery is, to secure the fullest possible discussion of this case. There is no pleading of informality. I might refer to what I have witnessed in our Synod and in other Courts time and again.—the strict application of the laws of order. If a paper were presented under the name of an appeal which was strictly a complaint, it would be ruled out. If a paper were presented under the name of a complaint which was strictly an appeal, take it either one way or the other, it would be ruled out. We have sought to make no such applications in strictness of the rules of order of our Synod.

One instance particularly demands notice. One of these complainants served his declinature upon the Pittsburgh Presbytery. I shall refer to this more fully by and by. Whenever a man declines the authority of a court, that declinature cuts him off from any consideration of his case until his declinature has been settled. His declinature should be heard, with the reasons for his declining the authority of the Court. We have not even insisted on that. We have permitted one, who has declined the authority of the Pittsburgh Presbytery, on grounds that laid grievous charges against the Court, without requiring him to substantiate his charges, to come before this Court with all the rights of a complainant. Now it is evident enough to you that there is no attempt made to cover over anything whatever.

Let me also, as a preliminary point, speak of the known liberality of those that have been called upon to defend the action of Pittsburgh Presbytery. I am not sure that I am doing my good brother George full justice when I thus associate him with myself; for I have been regarded as a liberal among liberals in many respects, and I have had to bear a great deal of a burden as being a liberal. I am perfectly willing to bear the full responsibility for all the liberal senti-

ments that I have uttered.

I take occasion to refer to this matter in this connection to show that this defence of Pittsburgh Presbytery, and the action of the defendants, do not spring from any prejudice or

anv ill will.

It is a well known fact that these brethren were closer to me in many respects than were members, for example, of the Illinois Presbytery. It is well known that if there had been any classification made of the Reformed Presbyterian Synod. in all probability the classification would have thrown me on the side of the men that are now before the Court, in many very important respects. Whereas, the classification might have thrown me out of the ranks of these brethren who have been regarded as pre-eminently conservative, who would hold at all hazards to the great distinctive features of the church.

I must mention in this connection an incident. It comes out in what I shall give more fully in connection with another point. At the meeting of the Judicial Committee, the Rev. H. W. Temple, as has already been stated, called out one member of the Committee. That member was myself. He presented certain facts before me, which I wish to give you more fully presently, and after this had been done. I said to him: "You have made a great mistake. Some of the sentiments in that Platform I endorse; many of those sentiments I condemn. This particular point you know that I condemn with all my soul. You know that in some of these things, and particularly the question of church union, when that is properly stated, I take grounds here where many might not agree with me, but grounds I believe to be Scriptural and right."

I brought the matter frankly before him, and I said: "You know that it cannot be anything personal that leads me to take my stand against what I believe to be your error and mistake, and the error and mistake of all that you have been associated with." The answer that was given to me when I spoke my belief in that way was this: "We all know your views on some points; we expected you to go with us, and we are mad at you because you didn't." I mention this simply to bring out the facts in reference to what might have been expected. You will understand, then, that there is no want of sympathy with these young men in some things that I believe to be right; no want of disposition to stand by them iu what I believe to be right; but when it comes to the ques-. tion that is the great question before us to-day, it is for every man to stand according to his convictions of the truth and not according to any ties of friendship in the past. He must stand as he shall answer before the bar of Him who is the Judge of us all.

I will just mention in this connection another point, for the reason that misinterpretation has been wide spread, or at least misunderstanding, if not misinterpretation. It was stated on the floor of this Synod a few days ago that I was so great a Liberal that I had voted for John C. Fremont; and the impression has gone out that, while a member, and a minister, too, in all probability, (the view might have been presented, if not a minister, a member.) I had taken part at a civil election.

Now I wish the facts to be understood. I did vote for John C. Fremont for President of the United States in the Presidential election of 1856. I was not a member of the Reformed Presbyterian church at that time. I had never yet made a profession of my faith. I had been brought up in a Covenanter family, and like a great many boys born in this country, I had a feeling of patriotism which led me to think that I ought in such a campaign as that to take part; and I did take part, speaking and voting on behalf of John C. Fremont.

My act at that time led me to a careful consideration of the whole subject. I studied the whole question of political dissent and non-incorporation, as I had never studied it before, and the result was that the winter following my voting for Fremont I united with the Reformed Presbyterian church.

And I want here to bear testimony to a member of this Court who was then my pastor, the Rev. J. B. Williams,—that it was through his faithful presentation of the duty of Covenanters, and not only of Covenanters, but of all loyal American citizens to take that position,—it was through his faithful maintenance of this ground, and his influence upon me (for I was under his care at that time as a student, and enjoying the benefits of the instructions which he was giving me with so much kindness and generosity),—it was largely through that influence, as well as through the influence of my sainted father and of my sainted mother, that I was led to embrace the principles of the Reformed Presbyterian church, to which I hold to-day, and to which I trust I shall hold, while life shall last. Let it not be charged, then, that I have been guilty of the violation of the law of the church.

To my voting on Constitutional Amendments I need not refer, more than to say that I did so, but not in violation of the law of the church. When the church says positively by her law that no member shall do that, then I shall have to decide the question for myself whether I can stay within her, when she lays that obligation upon me; and I am free to say that I do not think I can. If she should make it imperative that no member could vote on Constitutional Amendments, in my loyalty to God and his truth I would feel constrained

peacefully to withdraw.

Now let me pass on to that which is also preliminary.—the matter of Scriptural citations to which we have had reference in large number, together with the statements that have been made that we have not any Scripture on the other side ap-

pealed to; that we have no Scripture whatever in the libel, and no appeal to Scripture in settling the great question that we have before us.

I notice on page 6, of this copy of the Complaints and Appeals which I have, under the second reason of Protest and Appeal, given by W. Lloyd Samson, passages of Scripture, as follows: "Isaiah i, 18; liii, 1-3; Matthew x, 42; xi, 28-30; John vi. 35 and 40; vii, 37; Acts ii, 37-41; viii, 35-38."

That is not the half of them; I need not take up your time in reading them. These were not given in the address that was made. I have taken the opportunity to examine a number of these, all of them, I think, and after I examined these passages of Scripture, one after another, there came to my mind what I heard about Dr. Black, of such honorable memory, and connected with the Covenanter church of Pittsburgh

before the time of the defection of 1833.

He was on one of the boats on the Ohio river, and one of those errorists, so common in the country, had gathered around him a company who were listening to his assault upon the doctrines of grace, particularly upon the doctrine of the vicarious atonement of the Lord Jesus Christ. After he had cited passage of Scripture after passage, Dr. Black, who was standing off a little distance, quietly came up, right in the midst of the company, and in his strong stentorian voice recited a large part of the 1st chapter of I Chronicles. This disputant stood by aghast, and said, "What does that mean, sir? What has that got to do with this question?" "Why, nothing in the world, but just as much as what you have been citing."

Now, if you will examine these passages of Scripture, you will see that there is hardly anything that has a bearing upon the question that is before you; and I propose, as we go on with this discussion, to appeal to the Word of God, and read passages to you, and ask you to read them with me, that we may see how God's Word bears upon these questions that we

have to decide here at this meeting of our Synod.

Let me just call your attention to the important points, as I wish to pass by unimportant points. I have many papers and notes covering matters that might seem important, but time will not permit to take them up, as they are relatively of but little importance.

The three important points, and the points on which you

will have to vote, are these:

1. Is this complaint, which is made against the Pittsburgh Presbytery, a complaint of injustice and wrong? Not merely in so many words, but as a matter of fact, is there proof showing injustice and wrong on the part of Pittsburgh Presbytery, in conducting this case? Now note what that refers to. It means the manner of conducting the case. It means all the various points that have been taken up as the case has

progressed,—the admissibility of the libel, the relevancy of the libel, and so on, as step by step was taken in conducting the case,—whether in this, on the part of the Moderator, on the part of members of the Court, on the part of any in the conduct of the case, there was injustice or wrong. That will be the first question that you will have to decide.

2. Then the second question will be the appeal from the sentence of the Court finding these parties guilty of pursuing divisive courses. Do they (the appellants) bring forward grounds which convince you that that sentence ought to be reversed? Is there ground of appeal from that sentence finding these persons guilty of pursuing divisive courses?

3. Then the third question will be the appeal from the sen-

tence of suspension.

Was this sentence unjustly severe? Or, was it a righteous sentence following the verdict which found these parties guilty under the libel of pursuing divisive courses?

And now I wish to take up these three points, for they will

cover all the legal aspects of the case.

FIRST. Let us look at the question: Is there ground for this complaint of injustice and wrong against the Pittsburgh Presbytery? I wish to do here just what it was attempted to do in the conduct of the case. Of course, very grave responsibilities rested upon me as the Moderator of Presbytery: and when we took up the case I gave notice that I would follow the Book just as conscientiously and closely as it was possible for me to follow it. I did attempt to do so without fear or favor. Now let us examine the case point by point. My brother has brought the whole matter down to the trial. I need not go back, and do not intend to do so, except to refer to one or two matters, which will come up in connection with certain points in the conduct of the trial.

The first thing, then, that we had to consider was, the admissibility of the charges. Take your Books of Discipline, if you please, and turn to page 74, paragraph 16: "If the accused puts himself on his defence, before proceeding to trial, the first point to be tried is the admissibility of the charges." Then we have in our Book the following statements: "In most cases this will have been done before the citation of the accused; yet, as he has a right to be heard on that point, and may not be present to plead it, and as it may be affected not only by the position and character of the accuser, but also by the admissibility of the testimony and the general and indefinite character of the charges, it ought not in some cases to be regarded as definitely settled till the accused be heard." Now I do not make anything of the plea that we might have settled it without hearing the accused. We wished that the accused should be heard, and fully heard. But I do hold that the points presented in the Book, as the points that would bear upon the one question of the admissibility of the charges,

must be the only points discussed.

Then, what would come up according to our Book? The first thing that is mentioned is, that the admissibility of the charges would be affected by the position and character of the accuser. If an irresponsible person, some person who himself was under censure, had come and made an accusation against these brethren,—some person whose character would not stand the investigation of the light of divine truth and of the order of the church; some one who was held in ill repute in the community,—if some one such as this had come as the accuser, then there would have been valid objection against the admissibility of the charges. What is the fact? Professor Willson took it upon himself, not to be an accuser, but to bring before the Presbytery a paper in the form of a libel. It was not a libel. It could not be a libel until signed by the

officers of the Presbytery.

That paper, which contains, however, the substance of the charges, was referred to the Committee on Discipline. had it in their hands. It came into the hands of the Judicial Committee in due time, and it was reviewed again by the Judicial Committee. After all the various steps, which you have heard detailed, had been taken, a form of libel came to Presbytery, and, with the Moderator's signature and the Clerk's signature attached, that document became the document of the Court. It was the Court's own libel. By the authority of Presbytery itself this libel was prepared and served, and the citation was served upon these persons. Who, then, was the accuser? Why the Presbytery itself. Was it a party? No. not a party. Our Book expressly declares that in cases of this kind the inferior judicatory does not become a party. It is simply attempting to carry into operation the law of the church, and when it becomes the accuser in this way, it represents the entire church; it represents the dignity and the order and the welfare of the entire body with which it is connected. Here, then, was the accuser in this case. Could any objection be made against the accuser? Was there anything that would rule out Pittsburgh Presbytery for any wrong motive, any wrong purpose, any want of responsible character. from bringing this libel against the persons that were

My dear Brethren and Fathers in the Lord, let me recall to you, when I think of the men who are in that Presbytery, of the elders as well as the ministers that gathered there, how in sorrow of heart, manifested at every step taken, with their very souls wrung with anguish, they took this step, because they were constrained by a sense of duty to take it, and for no other reason. Why, how could it be from any other reason? What selfish object could a Presbytery have to take such a step against a number of young men, whose moral character

was not impeached, whose brilliant talents were recognized fully, who had been trained at such expense in our institutions of learning, and settled over congregations; what would be the unworthy motive that would influence gray-haired elders in the church, and brethren in the ministry upon whom the burden of the work of the church begins to tell very heavily, to take a step the tendency of which would be, and the end of which would be-unless there would be a settlement-to throw out of the ministry of the Reformed Presbyterian church those who had been trained at such cost; those who have been the objects of so many prayers, so many earnest supplications at the throne of heavenly grace? The accuser in this case was one whose character would stand comparison, in view of all the circumstances and motives that could appear, with the accuser in any case known in all the history of the Reformed Presbyterian church.

In the second place, let me note the next thing that is mentioned in this appeal,—the general and indefinite character of the charges. If there had been general and indefinite character, there would have been just ground for voting against the admissibility of the libel. That is, if there had been something said about certain words being spoken, and nobody could tell exactly what the words were, or whether they had any bearing upon the vital principles of the church or not,—if charges of that vague and indefinite kind had been incorporated in the libel, then the vote of that court should have been against admitting them. But what are the facts? The facts are these: In the first place we have the men charged with pursuing a divisive course. There is nothing general or indefinite about that. It is pointed, it is clear, it is specific.

What are the specifications under that charge? Being present at the East End Meeting, formulating its Platform, and thus being responsible for the circulation of the Platform, and avowing in open court approval of that Platform. Here we have the charges in specific detail. Is there anything general in them? Is there anything indefinite about these charges? There was the Platform; you could examine it. One particular plank was selected.

Now understand, the Presbytery did not mean to pass by other portions of that Platform as not being worthy of condemnation. There were other portions of the Platform that ought to be condemned, and that Presbytery did condemn. But Presbytery thought it would simplify this trial to bring only this second plank in, and that makes the specifications more definite.

The charge is not general. It brings the issue to a clear and definite point, and thus this second requirement of our Book was fulfilled to the very letter,—the charges were not general, indefinite and vague, but they were pointed and specific. On this ground, therefore, there could be no vote against the admissibility of the charges.

The next point is with regard to the admissibility of the

testimony.

On this point I am very confident, Fathers and Brethrenthat there has been a great deal of vagueness in the minds of many as to what constitutes testimony. Of course, you can bring a witness and let him testify to what he has heard any one say; that would be testimony. You can bring a document, which can be duly certified in one way or another. There may be links of connection. It may take two or three links to show how it is all connected together; but when you prove the links of connection, you can take a copy, or a copy of a copy, and trace it back to the original link. You can make that to be testimony, and it is just as clear and definite as any testimony that may be adduced.

Here, then, with regard to this, let me say again, there was no attempt to bring any testimony of this kind, for there was

no need of it.

The testimony was there; the testimony was specific. There was the Platform. There was the plank of it mentioned in the libel. The Court itself had heard all these persons avow their approval of the whole of that Platform. That was done in the hearing of the Court.

Do any of you say that is no true testimony?

I appeal here to the well known law of the Scottish church. I turn to Steuart's Collections (Edinburgh edition of 1830), page 408, of Vol. I. which lays before us with the utmost clearness the principle that controls in all such cases: "Although judges cannot be both judges and witnesses, yet he is a witness and a judge, too, of what he sees and hears in judgment, for these are counted as notour" (or, matters of notoriety).

That is, what comes before a court in any process of discipline, or judgment, not only when the trial is actually on hands, but in leading up to it, that is competent testimony.

Who is the witness? It is the Court itself. The Court itself has heard, and the Court does not need to testify. The Court is the witness of well as the index

is the witness as well as the judge.

This is the principle recognized in our Presbyterian law, that what is done in the presence of the Court, the Court is competent to take in hand and deal with by discipline on the

spot. The testimony is there.

What I wish to bring to your attention, Fathers and Brethren, is this: That just at that very time, the Pittsburgh Presbytery could have convicted these men, who, in the hearing of the Court, put themselves upon the record against the principles of our church, as they did, to the utter astonishment of some of the members——let me mention an illustration just here.

Dr. Sproull, so far advanced in years that he could hardly comprehend all the circumstances of the case, sat there, having come out in the good providence of God, and heard speech after speech that was being made. He could not refrain from astonishment, and he rose up and said: "Mr. Moderator, what does this mean? What does this assailing of the principles of our church mean?" He could not comprehend it; and no wonder. It was nothing but the leniency of Presbytery that prevented bringing the trial to a close. It could have been brought to a close before the libel was issued at all, and again and again during the course of the trial, because these utterances were directly against the principles of the church.

These persons, on this principle of the old Scottish law, might have been found guilty and dealt with, the Court itself

being the witness in the case.

Now before I leave this point, I wish to answer another argument which has been made by way of justification of the accused, viz., that no admission was made of the purpose or fact of following a divisive course from the law and order of the church. I wish you to notice the language. I have drawn it from the appeals as they have been read,—'no admission was made of the purpose or fact of following a divisive course from the law and order of the church.''

Why, certainly, there was none made! As you have already heard, the Court did not deal with what would be the purpose in the minds of persons accused. Admission was made of the fact of being at the East End Meeting, and formulating its Platform. Admission was made of the fact of giving support and approval to that Platform. These were the admissions

that were made.

Who was to judge whether this was pursuing divisive courses or not? You arrest an individual and bring him before a court for pursuing a divisive course, for breaking the church up into fragments; and the person when arraigned before you says, "I do not admit that I purposed anything of the kind." Why, of course he would be very likely to say he had no purpose of doing that. Or, he says, "I do not admit I am the responsible one for the fact; I admit the fact; I admit the church is divided, but I do not admit that I am responsible for that." Why, this is just what might be expected of any one.

It was for the Court to decide. The Court had before it the evidence on the testimony of the Court itself, that here was a platform; here was an adherence to it; here was the division of the church, (which I wish to call attention to further on.) a lamentable state of affairs, the church divided; and the Court could put two and two together. According to its own judgment it did connect cause and effect. The Court, therefore, said, "The East End Platform is a fact that you

admit; and you say you still adhere to it. These facts are

responsible for the condition of things."

When there was the admission made of the fact, there was no necessity of asking admission of the purpose, or admission of their belief in any cause of the fact. It was enough for the Court itself, as it was its responsible duty, to conclude that the facts before it warranted the decision, according to its own best judgment in the case.

Another point to be noticed is that an appeal was now taken; and this, it has been strongly urged, ought to have

arrested all proceedings.

I never heard of that before, and I wonder that anything like it should be pleaded. Why, let me examine that just for moment. Perhaps I had better look at it in another connection more fully, and it will be enough here to refer to this one point.

Our Book, speaking of an appeal, says: "An Appeal is the removal of a case already decided by an inferior judicatory to a superior by a party aggrieved." (Book of Discipline, pages

80, 81.)

"The removal of a case already decided." Yet here you have a case where an appeal is taken on the question of the admissibility of the charges. Is the case decided at that point? Has the case come to such an issue that an appeal can be entered here? Why, I hardly need to wait to reason with you on that point. It comes up in another connection.

However, I just wish to say here, that an appeal taken at that point is really not an appeal at all. When the case has been decided, that may be made a ground of appeal. That may come in as one of the grounds of appeal subsequently assigned, at its own proper time. But an appeal, so called, on a question of mere admissibility of the charges, is not an appeal according to any authority in Presbyterian law.

Now I come to the relevancy of the libel, and as it is just about twelve o'clock perhaps I had better arrest the discus-

sion.

(A motion was made to take a recess until two o'clock, which being duly seconded was carried.)

AFTERNOON SESSION.

The MODERATOR: Dr. McAllister has the floor, speaking on behalf of Pittsburgh Presbytery.

Dr. DAVID McALLISTER: Mr. Moderator, Fathers and Brethren: I may briefly restate the points to which I have

called your attention.

You are to vote—1. Upon the complaint of injustice and wrong brought against Pittsburgh Presbytery. 2. Upon an appeal from the decision of that Court finding the appellants guilty of pursuing divisive courses. 3. And in the third place upon an appeal from the sentence imposed upon those that

have been found guilty, suspending them from the exercise of

the Christian ministry.

I took up the first of these points briefly this morning, showing you that there had been no injustice and no wrong done to the complainants. The grounds on which they complain of injustice and wrong must refer to the manner of procedure in the process of trial. The appeals will be from the decision reached and from the sentence of the Court.

The first thing that comes up necessarily in reference to the conduct of the trial is the admissibility of the charges. I have called your attention to three possible ways in which injustice or wrong might have been done. These three ways are mentioned in our own Book of Discipline, and to these I ask you to refer, as members of the Court, that you may have the matter distinctly before you. On page 74, paragraph 16, our Book points out the first way in which injustice or wrong may be done, and it is in reference to the position and character of the accuser. In this respect, I showed you that it was the Presbytery itself, without any possible unworthy motive, that was the accuser. Then the second way pointed out is, the general and indefinite character of the charges. These were shown to be specific, clear and definite. I need not to go over them again. In the third place, with regard to the admissibility of the testimony I showed you that the testimony was the highest kind of testimony; that is, the testimony heard in the Court itself, the Court itself being the witness; and this is recognized in all church law and ecclesiastical procedure as the highest testimony on which a church court can act.

I shall proceed to the consideration of the second point, and that is the relevancy of the libel. Our law on this you will find on page 74, in paragraph 17. and is: "The first thing to be considered on the trial—that is, after the charges have been judged admissible—the first thing to be considered is the relevancy of the libel; that is, whether the charges if proved be censurable. On this the accused, if present, has a right to be fully heard, but not in making a plea against the principles of his public profession." (Book of Discipline, page 74.)

Now, ask you to consider with me carefully the nature of a libel, that we may understand what the relevancy of the libel is. And once more I refer to this store-house of ecclesiastical law, compared with which there is not anything on the face of the earth.—there never has been such a store-house gathered as the famous "Steuart Collections," called also the "Pardovan Collections." And I am asking you to consider with me this subject of the relevancy of the libel, and with this the more general question of the nature of a libel. I read from page 400, Vol. I., of Steuart's Collections: "A libel is a law syllogism, consisting of the proposition or relevancy, which is founded upon the laws of God, or some ecclesiastical

constitution agreable thereto, as whosoever is absent from public service on the Lord's day ought to be censured. The second part consists of the subsumption or probation, which condescends on matter of fact, viz., But such a person did, upon such or such a Lord's day, absent unnecessarily from the public worship of God. The third part consists of the sonclusion or sentence, which contains a desire that the profaner of the ford's day, according to the laws and customs mentioned in the first part may be censured." This word "subsumption," is one of those peculiar words of the old ecclesiastical law; and it means, that which is brought underneath the first part of the libel.

Now keep these three elements of the libel before you: First. There is the charge, whether it be absenting one's self from the Lord's house on the Sabbath, contumacy, insubordination, contempt of the Courts of the Lord's house, pursuing divisive courses, or whatever else it may be. Second. Then comes what is called here, technically, the "subsumption." That is, such a person, against whom the libel is brought, did on such an occasion and in such a manner commit this very scandal, or immorality, or whatever it may be, that is mentioned in the first part of the libel. Third. Then comes the third point, the "probation:" and in consequence the censures of the Lord's house should be inflicted upon such a

Suppose we take up an ordinary case, as it would come probably in most instances in a charge of pursuing divisive courses. The order would be this: We will say that A. B. is charged with pursuing divisive courses; the subsumption is that he did this on such a day of the month, in such a year, in such a place, in the use of such and such words; that he spoke such and such things contrary to the good order, the law, and the testimony of the house of God with which he was connected, so as to break it up; so that the legitimate effect would be the dividing of the house of God. In ordinary cases witnesses would need to be brought. That is, what had been thus spoken at different times and different places would not be before the Court without testimony, probation, or proo; and therefore witnesses who would be present at such a place would be brought forward, and they would give their testimony that the said A. B. did on such an occasion, at such a time, and at such a place, give utterence to these words. But in this case, such testimony was not needed. no necessity to bring C. D. and E. F. to testify that at such a time and such a place words were spoken, or a divisive course was being as a matter of fact pursued. That proof was already before the Court. The Court itself was the witness to that fact. It did not need anybody to come in to testify. You may say, how was this? The Court itself the witness? And what it heard the testimony? Exactly.

Let me dwell a little longer on that which relates to the admissibility of the testimony. And I wish now to refer to it in connection with the libel. I turn to page 402 of this same volume of the Laws of the Church of Scotland, and I read as follows: "Probation is that whereby the judge is convinced that what is asserted is true; and he must be convinced either by confession or oath of party, or writ, witnesses, or presumptions, as follows: Probation by confession if judicial, is the strongest of all probation." Mark that,—"Probation by confession, if judicial." That is, if in the presence of the Court; if before those who are judges and witnesses at the same time, it is the strongest kind of probation. This is the proof which the Court had in this particular instance.

Every one of these young men, with the exception of one whose case is an exception because of what he himself has stated, the case of A. W. McClurkin, and whose case I leave for special consideration a little further on,—admitted his connection with the East End Meeting. This was the testimony. This was the proof in the hearing of the Court itself. It was the strongest kind of evidence to the subsumption, that is, the specifications under the general charge of pursuing divisive courses.

This is a principle which is recongnized also it other books, but I will turn to them in another connection.

The specifications in the present case, as we have already seen, were the attendance on the East End Meeting, the formulation of the East End Platform, as well as the circulation of it, and the approval given to the principles of the East End Platform, which being true, and the proof was before the Court itself, said persons were found worthy of censure for having pursued a divisive course. Just at this point there may seem to be a little difficulty in the minds of members of this Court. You may say, is it not said, "The accused, if present, has a right to be fully heard?" The ruling of the Moderator of Pittsburgh Presbytery was, that the accused had a right to be heard in arguing whether the pursuing of divisive courses was relevant to censure or not. That was the decision of the Moderator of Pittsburgh Presbytery. The young men maintained that they had a right to argue on the specifications or the subsumption. The Moderator ruled they had no right so to do, and for this reason: "The accused has a right to be fully heard, but not in making a plea against the principles of his public profession." That is what our Book says (pages 74, 75). It is explicit. It puts down the law so that the officers of our courts are bound to go by it, and if they fail to go by it, they open up themselves and their rulings and the actions of the Court to very serious consequences. This rule is, that no man in arguing against the relevancy of a libel that has been brought against him, has

any right to be heard in making a plea against the principles

of his profession.

Then further, as connected with this same subject, there are other extracts, which I need not take time to read at large. This Book (Steuart's Collections) tells in reference to probation that there are times when the probation will precede the settlement of the question of the relevancy of the libel, and that is just in this particular instance. As a rule probation follows, in the ordinary case, such as that to which Î have referred, when witnesses would be brought to testify to what the Court had not itself heard. Then these witnesses might be heard in immediate connection.

First, you would have the decision as to the relevancy of this subsumption, and then the proof; but when it is a matter that the Court itself, as a witness, has heard,—that is, before a libel has been framed,—as I said this morning, it is for the Court to decide whether it will discipline such a person on the spot or not. It may, having the testimony directly before it, discipline without the form of trial. But it may, if it see fit, incorporate the charges into a regular libel, and thus bring the matter in that due form, with all the details; and then it does not need the proof of what it has already had before it. This is what, I maintain, finds a place in the cases that come before your reverend body.

Let me say, still further, in connection with this subject, that the probation of the specification was admitted to be complete, with the exception of one case, to which I have referred. Let me remind you of the facts in that case, the case of Mr. McClurkin. He at length denied, not the facts,-he did not deny the facts; he did not deny that he had been at the East End Meeting; he did not deny the fact of having given approval to the East End Meeting .- but he denied the possession by the Court of evidence of the facts. Mark that distinction carefully. Let me go over it once more, that you may have it in your minds. In this instance the denial was not of the facts, but it was a denial of possession by Pittsburgh Presbytery of evidence of the facts. I shall take that up a little more fully further on.

An appeal was taken from the Moderator's refusal to record his decision as to relevancy. There was no ground for any appeal here. Suppose the appeal had been taken in full form just at this time. The Court was under no obligation to regard any appeal of this kind. It was not an appeal from anything that was really a subject matter of appeal.

What has the Moderator to do with making a record of his decision, let me ask? You will notice from the way this appeal was put, it is an appeal from the Mcderator's refusal to record his decision as to relevancy. It is the business of the is to be recorded. It is not for the

Moderator to record anything. It is not for the Moderator to

order the clerk to put anything upon the record.

If there had been any objection to a failure of record being made in this instance, the proper place would have been when the record of the proceedings of the Court was read. Then, if there were no record of the Moderator's decision, let there be an appeal taken from a failure to put into the record, by the proper officer of the Court, a decision that any one might have thought ought to have been recorded. The Moderator maintained that it was not his place to put upon record any such decision. He gave his decision, and it was for the Court itself to make the record as it saw fit in refer-

ence to the decision which the Moderator gave.

Then again, as to the appeal from the vote sustaining the relevancy of the libel. In this connection, again, I would refer to these authorities which we have in Presbyterian law. I might refer to any one of the Presbyterian Books, and show you the same decision given here, that would apply in the case of the admissibility of the charges. The case was not decided. Nothing but the second point, the relevancy, had been decided. That could be made a ground of appeal from the final sentence. When the sentence was at length given, then the accused could appeal from the sentence, and he could make this refusal to record a decision on the relevancy. or he could make the vote upon the relevancy, one of the grounds of appeal which he would present to the superior court. Just as in the case of the admissibility of the charges. he might enter them into his appeal from the sentence of the Court as one of the grounds of that appeal.

But in neither one of these cases would Presbyterian law apply, which says. "An appeal is the removal of a case already decided." You do not decide a case by passing upon the admissibility of the charges. You do not decide a case by passing upon the relevancy of the libel. These are only preliminary steps. Not until the case has passed beyond that,—the charges admitted, the charges found relevant, the probation gone on with, the sentence reached, or even put into effect, as it may be,—not until then is the case decided so that a person, who is brought before the Court, may properly

take an appeal.

Notice the second section here: "Grounds of appeal." That is a very different thing from "appeals."

A MEMBER: What rule is that?

Dr. McALLISTER: That is the United Presbyterian Book of Discipline. Our own Book is somewhat briefer, but on page 80 we have exactly the same thing in substance, under the section of Appeals. Paragraph 1 reads: "An appeal is the removal of a case already decided by an inferior judicatory to a superior by a party aggrieved." That is, a party must be aggrieved by a final decision, reached by the inferior

judicatory in his case. That is, it must issue the case. The case must be decided as a case. Then from that issuing, or deciding, the case by the inferior court, the appeal is taken to the superior court, and the grounds may be such as are mentioned in this second paragraph, which I was about to read.

On page 48, of the United Presbyterian Digest, under "Appeals." is this article: "2. Grounds.—Appeals may be made either from a definitive sentence as unjust or mistaken, or from any particular step of the proceedings on account of irregularity, in refusing reasonable indulgence to a party on trial, declining to receive important testimony, hurrying to a decision before the testimony is all taken, or manifesting prejudice in the case." All these are named in this second section as grounds of appeal from a definitive sentence, that is, a final or decisive sentence. All these may be entered as grounds of the appeal, taken after the case has been decided by the inferior court, and removed from that by an appeal to the superior judicatory. So that I maintain, Fathers and Brethren, that in the manner of proceeding in these cases, which have come before you on these complaints, the Pittsburgh Presbytery has done no injustice; it has done no wrong. It has gone according to the law: it has followed out the order of the church. It has scrupulously regarded every point.

I must refer to one thing a little more fully. It was decided that the argument could not be made when the question of relevancy was up, inasmuch as that argument against the relevancy of the specifications would bring up the East End Platform and all connected with it, and the approval given to it, and that that argument would necessarily be a plea against the principles of their profession. And inasmuch as our Book is explicit on that point, they could not then be heard under that motion as to the relevancy, in making such a plea. The decision was, that they must wait and make that plea when they would be defending themselves; even then, it would be a plea such as the Court would permit only in its courtesy, because it would not throw one shadow of suspicion upon its fairness, and in order to have the fullest and freest discussion

possible.

Presbytery had the right to suspend these men on the spot, when they had made a plea against their profession; when they had come out against the principles of the church, as they did in Pittsburgh Presbytery. Waiving its right to do that, it still would give the fullest liberty; it decided that the place for this argument was in the making of their own defence, after the relevancy of the libels had been sustained and the proof was all in. No testimony more was needed; the testimony was complete. The case was brought right to the very point it would have been brought to if there had been witnesses who had heard these utterances in some other

place, who had come before this Court, been duly sworn, and given their testimony; and if on their testimony, full, clear and explicit, the utterances that the Court itself had heard had been proved; and then the men had been heard in their own defence. The Court followed out to the exact letter all these principles of the Presbyterian law from the early days of the church of Scotland down to our own day; and in not one single particular did the Pittsburgh Presbytery lay itself open in this matter to any charge of injustice and wrong.

I pass on to the third matter under this question of injustice and wrong. Other charges we have, and these are somewhat miscellaneous in character. I took pains, as the speakers went forward one after another, to note down every charge of any importance. There may be some slight matters that I have not classified here; if so, I would be very glad to have my attention called to any. But I think I have omitted none.

Let me take them up, then, under this third group,—other

charges of injustice and wrong.

1st. The charge of a scheme to obtain evidence. Now, Fathers and Brethren, had there been any scheme to obtain evidence, I believe Pittsburgh Presbytery would have been most blameworthy. The charge is made that it was designed to bring these men before Presbytery, and to bring them there in such a way, and under such provocation, as to induce them to speak and tell all they had to say, in the presence of the Court, so as to give the Court sufficient testimony on which

to go forward with their suspension.

I do not think that I need to argue before this Court that the Pittsburgh Presbytery was incapable of any such scheme, or any such design. I can say, for my own part, that that thought never entered into the mind of a single Presbyter, so far as I know. I never heard the slightest intimation of anything of that character. From the statement that has already been made in your hearing so fully and in so kindly a spirit, by my brother who spoke before me, you have evidence enough to convince every man of you that there was no such scheme. I can bear witness before the Searcher of all hearts that my purpose in the Presbytery, and in the Judicial Committee (and I know that what I can say of myself is true of every other member of the Judicial Committee, and of all the members of Presbytery) the one purpose was to bring about, if possible, a reconciliation. The one controlling purpose was to heal the breach, and to prevent, if possible, this distracted condition of things in which we are to-day.

We are mourning here, before God, with this entire country looking upon us, and with the papers making us the butt of ridicule. All this was anticipated; all this foreseen. With the journals that are so ready to seize upon what is sensational, taking hold of the condition of things in this highest Court of the Covenanter church in America, and sending

messages broadcast throughout the land, a state of things that is looked upon by so many as being a reproach to Christianity,—if possible, how could this be avoided? This was the thought that was in the minds of all who sought reconciliation.

But, furthermore, we thought about the work of the church, especially her mission work at home and abroad. We saw how her resources were being diminished. We had sent additional laborers out to Syria and Asia Minor, and were contemplating opening up again that most inviting field, the Island of Cyprus, and needing money. To bring about such a trial as this, would be of incalculable damage to all this work, upon which we have set our hearts; and also to the work at home, the mission work among the Freedmen in the south, and among the Indians, and among the Chinese; and all this work that is going on in our congregations and settlements in the western part of the country; funds for this work being cut short; laborers not receiving the support that it is absolutely necessary for them to receive if they are to carry forward the Lord's work.

How could it be any other motive on the part of members of this Judicial Committee, or on the part of members of Presbytery, than to avoid such possibilities as those, if we could only find some way by which we could bring these brethren once more to the place which we thought they should occupy in the Covenanter church? It was with that view that the effort was made to bring about the reconciliation at the regular meeting of Presbytery in October. This was the one thing that was in view in the meeting of the Judicial Committee on the 22nd of October, and in the meeting of Presbytery again early in November.

So step by step, as we became more and more deeply involved in these heart-rending difficulties, the one end and purpose of Pittsburgh Presbytery was to avoid the necessity of framing a libel and serving it upon these brethren in the Lord.

Can there be any room for the charge that there was a scheme laid, by which, in an artful way, with soft words upon our lips, and burning coals of deception and anger in our hearts, we would get these young brethren to come to Presbytery and make statements which we would use as evidence against them? Is it possible that such a charge as this could lie against the Pittsburgh Presbytery? We are content, dear Brethren, to leave it with you, and to let you pass your verdict upon this ground of complaint.

The second further point of complaint is, the putting of a rider upon the basis of agreement. I have but little to add to this, as my brother has already presented this matter so fully before you. The only point which I have to add is in confirmation of what my brother has said, that this was not the

work, as was charged, of the Committee. The Committee agreed in perfect sincerity upon the basis which has been read in your hearing. The Judicial Committee thought the matter was settled. I went home rejoicing in what I thought was the settlement of the trouble. I want to bear my testimony that I never said a word about that subject. I did not speak to a single person in reference to that matter. The reporters were at my house every day, two or three times a day, to obtain news, if possible, in regard to that meeting of the Judicial Committee. Not one syllable did I give to any one of them. And yet the word came out, and I will refer to that a little further on. I did not know that my brother Dr. George intended to offer any resolutions. I went to the meeting of Presbytery, where the report of the Judicial Committee was to be submitted.

And just in this connection let me say that I never dreamed of that body being anything else than a committee. The idea of a commission never entered into my mind. As I was the Moderator of the Court when it was appointed, I understood distinctly all that took place, as my mind was, of course, brought to bear upon it. I recollect that the appointment of the Committee was by the nomination by the Committee on Supplies, not of a "commission," but of a "committee." When we met, and when our chairman did, by an oversight or forgetfulness, or whatever it was, go through the ordinary formula of constituting a commission, and when we arose from our knees, we at once expressed our astonishment and called attention to the fact, and he at once admitted that he had been under a misapprehension.

Then, in this connection, I wish to have it distinctly understood, furthermore, that what that Committee did was not what a commission would do at all. If it had been what a commission would do, that would have settled the case. The commission would be the Presbytery itself, and its action would be the action of Presbytery. But what was done was well understood to be something that had to be reported at Presbytery, and that could not be regarded as settled until reported to and acted upon by the Presbytery. That is the work of a committee and not the work of a commission.

Inasmuch, then, as it was understood that the conclusions reached had to be reported to Presbytery itself to be acted upon by that body before they could be conclusive and final, we must understand that it was the work of a committee.

When we came together at that meeting of Presbytery, and Dr. George arose, and, not as a member of the Committee at all, but simply as a member of Presbytery, as any other member of Presbytery might have arisen, and offered his resolutions, for reasons which he gave you here to-day, I was a little bit startled. It was unexpected to me. I thought the basis of

agreement would be first reported and acted upon, and I did

not hesitate in the Presbytery to say so.

I mention this now to prove what differences of opinion there were on a point like this, and to show there could have been no agreement: that the members of the Committee could not have consulted together to put some kind of a rider upon

When brother George afterwards arose and gave his reasons, and when, after the meeting was over, I had talked the subject over with him privately, I saw the full force of the considerations that he presented before you to-day, and I said, I did not think it would have made very much difference. For my own part, I do not see that it made a very great deal of difference. Different minds might look at it in different ways; but I saw from the way he looked at it, the honest, straight forward, manly thing for him to do was, to bring those resolutions forward first, so that he might not lay himself open to a charge to which he feared he might be open, if, after the basis had been acted upon, he would spring something that had never been mentioned before, in order to bring this to bear upon those who had already consented to a basis of reconciliation, and I honored him for introducing the resolutions into Presbytery at the very first of the meeting.

I would have you remember in connection with this, too, that Presbytery never agreed upon any but one basis. basis that was agreed upon in the Judicial Committee, and that was reported to Presbytery, was not accepted by the Presbytery. I need not enter into the reasons for it. have had them given to you in a large measure already. I want you to keep this one thing in mind,—Presbytery did not accept it. Presbytery went on to modify it. Presbytery did modify it, and then after modifying it, laid the basis upon

the table.

Petitions came in, especially a petition from the East End congregation. That petition was read. Presbytery was so touched by that petition, as it so earnestly sought that the pastor might be restored to the East End congregation, that they reconsidered their resolution, laying the basis of agreement upon the table, and took it up, and sought, if possible, to have a basis on which all could be harmonized; one that would do no injustice to the young men, and one that would not compromise the church and her principles; one that would hold the church true to her profession to her Lord and Master. And this was a matter on which Pittsburgh Presbytery was determined from the very first.

When such a basis had been framed to the satisfaction of Presbytery, just that one basis did the Presbytery submit. It never agreed to submit anything but that one basis. When it agreed upon what it was at last believed was final, it submit-

ted that basis, and it was rejected.

The third point of complaint is the charge that the Minutes were not correct, that there is something erroneous in the Minutes, and that this error in the Minutes was not corrected. When a charge like that is made we ought to have the data. It is not enough just to say that the Minutes are wrong, and that an effort was made to correct them. Whenever we have a charge of that kind, let us understand just what the Minute is that is wrong. Let us understand what was proposed as a

correction of the Minute that ought to be made.

Now I do not know what reference we have here. I have thought the whole thing over as carefully as possible, and there is only one thing in all the records of Presbytery that comes to my mind. If there is anything else I should be very glad to consider it. But there is only one thing that comes to my mind, and I will narrate this in full before the members of this Court. The point was this. It was just at the very beginning of the sessions of the regular meeting of the Presbytery in October. Professor Willson brought before the Presbytery a paper in the form of a libel, naming, if I remember correctly, two persons. Is not that correct, Professor Willson?

Prof. D. B. WILLSON: Yes, sir.

Dr. McALLISTER: Naming two persons only, and giving the data as a basis but which a libel might be properly framed. This was referred to the Committee on Discipline. There was a good deal of discussion before the motion to refer this paper to the Committee on Discipline was carried. In the progress of that discussion it was charged again and again that this was a libel; that Professor Willson had come before the Court as a prosecutor, and that he had put a libel in the hands of the Court against the persons that were named. The Moderator decided that it was not a libel; that it could not become a libel until it had been acted upon by the Court and had received the signatures of the Moderator and clerk of the Court; that when it had thus been duly signed, it would become Presbytery's paper, and would thus become a libel in due form.

Rev. H. W. REED: This matter is not the correction of the Minutes to which I refer. I supposed that would be before the Court, as Dr. McAllister said, and of course, I do not dispute his word at all. However, it is not the correction of

the Minutes to which I referred in my remarks,

Dr. McALLISTER: As I have begun this matter I will complete it, and if there is anything else, it ought to be brought forward specifically. I do not remember anything else; and if there is anything, I go back to the remarks I have already made, that it is not enough to make a general and indefinite charge. The person, who does that, is simply going back upon what he has put into his cwn complaint as a ground of complaint of injustice and wrong against the Pres-

bytery,—that the Presbytery has made general and indefinite charges. Presbytery made no general nor indefinite charge; but when a person comes before this Court and makes this general and indefinite chage without specifying what it is that is wrong in the Minutes, he is simply opening up himself to the charges which he brings against others. But now I

will finish the matter I commenced.

As I began this narrative, I will complete it, and it will illustrate to some degree just how things were going on in Pittsburgh Presbytery. The Moderator, when it had been stated again and again that it was a libel, decided, and at last probably with a little bit of heat (for the Moderator of Pittsburgh Presbytery does not profess to be a man who has a somewhat fiery temper always under the best control, and I think, in all probability he gave the decision at length with something of snap to it), that this was not a libel, that it was a paper. An appeal was taken, as the Moderator understood it. However, it was explained afterwards that it was not an appeal from the Moderator calling this a paper, and not a libel, but it was an appeal from the Moderator's refusal to

The Moderator claims here that he was acting according to his full privileges as Moderator. Turn to page 129, of our Rules, rule 43: "The reading of any paper, or part thereof, which is under consideration of the judicatory, must be repeated at the request of any member unless objected to by the Moderator or any other member, in which case it will require a vote on regular motion, put without debate, to grant such request." The Moderator did object, as he had the right to object. There was no vote put. There was no motion made to override the Moderator's objection, and consequently the Moderator simply did what the Book gives him full power and prerogative to do: to object to this kind of obstructive proceeding by calling for the reading of a paper when there was no necessity to have it read, as the Court fully and distinctly understood just what it was, and were ready to have it referred to the Committee on Discipline. The next morning when this Minute came up, objection was made that the Minute was not correct, and the Moderator insisted that the Minute was simply according to the facts of the case, and the Court did not see fit to make any change in the Minute. The Minutes stood according to the facts. If there be any other case I would be glad to have it mentioned.

Rev. E. M. MILLIGAN: Do you wish me to mention the case I referred to in my speech?

Dr. McALLISTER: You have your opportunity to do it. Rev. H. W. REED: That was not the case which I specially mentioned-

Dr. McALLISTER: It was not specially mentioned. I will insist that he mention it when he has opportunity to speak.

Another of these charges is, dragging in matters not mentioned in the libel, particularly the fact of an organization being formed. It is admitted in the Pastoral Letter, as it was admitted here before you by my brother, who also represents the Presbytery, that there was no uncertainty about the fact of an organization having been formed at the East End Meeting. For some time we all thought there was an organiza-Then, from such considerations as were mentioned, we thought there was not an organization. We were in doubt; we did not know. When the Judicial Committee was in session, and we were just nearing, as we thought, the point when, after long conversations on the brief statements or declarations of the basis of agreement, we would come to an understanding that we would take those words just as they read, in their simple meaning, and that all would agree to that, one of the six who were before the Committee asked the privilege of going out for a private interview with one of the members of the Judicial Committee.

Inasmuch as the sacred bond of privacy has been removed from that matter, and not by me, but by the person who asked for the privilege, I will tell you the whole story. It was the Rev. H. W. Temple. He asked that I might retlre with him for a time from the Judicial Committee, as he had a matter on which he wished to consult me. I went with Mr. Temple into the room adjoining the room where the Committee were in session, and Mr. Temple told me that he had a matter he wished to communicate to me in confidence. He said, "You, I know, will not betray the confidence." I said, "Certainly not, Mr. Temple; whatever you communicate to me in confidence I shall keep, and not whisper a word of it to any

one." He then proceeded to tell me what it was.

He said, "I have a difficulty about signing that agreement, or agreeing to it without signature. I have a difficulty, and it is this: The first declaration of that agreement reads: 'We hereby disavow the East End Platform as a bond of union within the Reformed Presbyterian church.' I don't see how I can consistently make such a disavowal." I asked him how that was. "Why," he said, "it would not be fidelity to those who are united with me in the organization. If I disavow that as a bond of union, others will accuse me of breach of faith."

I said to Mr. Temple on the spot, and immediately, in reply: "Mr. Temple, you know I am your friend; you know I always have been, and that I would not counsel you anything but what is right. I counsel you to disavow it for that very reason. You ought to disavow it. The way you put it shows that it is an agreement, —shows that it is a bond of union between you and others; and that is where you have committed a great wrong,—both you and the others, whoever they may be." And I did not ask him who they were. "You and the

others, who have thus bound yourselves together, have done an incalculable injury to the Reformed Presl yterian church. I think it is your duty here and now to disavow it, and to use your influence to lead others to disavow it. If others accuse you of doing what is wrong, you insist they shall do the same thing." I am amplifying this a little, I dare say, but I am giving the substance. That is the counsel I gave Mr. Temple; and then I added: "If I ever learn of this fact from any other source, so that it will not be a breach of confidence, I give you now fair warning that I shall use it against you; I shall use it against you and against the others connected with you, because it is a wrong thing." That is the first part of that story.

Now all this was kept in entire confidence. I went back to the Committee as he went back. He was satisfied, as we learned afterwards, that what I advised him to do was right, for he told us afterwards he took my advice. The members of Presbytery will recollect Mr. Temple's exact words; he said: "I took your advice." "Yes," I said at that time, "it would have been well for you, Mr. Temple, if you had taken my advice in other respects as well." But, taking my advice, he did disavow the Platform sincerely and honestly, as I believe. He went back into the Commitee, had some conference

with the others, and they agreed to that basis.

When we came to the meeting of Presbytery and this matter came up, Mr. Temple, as you heard, made a statement about much that was not just altogether in keeping with the agreement; how there had been explanations, how there had been disinclination, holding back, and reservation. He himself brought out the fact, that he had called out from the Judicial Committee a certain member of it, and had told that member of the Committee that there was this permanent organization effected at the East End Meeting. When he made that statement, I immediately arose to my feet and said. "Mr. Temple, that takes the seal from my lips." "Yes," he said, "it takes it away altogether; you are at liberty to tell everything that occurred in our interview."

There, then, is the way this seal of secrecy, and this bond of confidence has come to be removed. And there is the first testimony as to the organization. Then came other testimony. I think it was not, however, as my brother said, at that same meeting. It may be a mistake on his part or on mine. I am not sure whether the Minutes will show which is correct, but the members of Presbytery will, no doubt, recollect. It is not a material point, but it is this. It was after the suspension had been inflicted in the case of a number of these ministers, and there was some inquiry as to whether they had observed the suspension or not. If my recollection is correct, it was then that Mr. E. M. Milligan arose in Presbytery (or he was standing, as I recollect it, over by the win-

dow to the Moderator's right hand), when it was asked whether he had observed the sentence of the Court, something was said with regard to the Meeting (I am not sure whether then or at some other time, I am only giving my recollection), and I recollect distinctly he said he had seen the Minutes of the Meeting, and that there had been an organization effected.

Dr. GEORGE: If I made any statement as to the time that

occurred, I withdraw it.

Dr. McALLISTER: I may not be correct.

Dr. GEORGE: You are correct. Dr. McALLISTER: I am not sure.

Dr. GEORGE: I am sure. It was with reference to the

second trial, the trial of J. R. J. Milligan.

Dr. McALLISTER: Whether Dr. George is correct or I am correct matters very little. There is the fact. I think it was stated in connection with or at the time reference was made to the affidavit. My recollection is, it was in the process of the trial of J. R. J. Milligan, and he was standing making his defence. He put his hand into the side pocket, or breast pocket, of his coat, and said: "I have here an affidavit from the Rev. J. F. Carson, of the city of Brooklyn, declaring under oath that there was no organization effected at the East End Meeting."

No wonder, if our minds were confused. Here the Secretary of that Meeting had first told me in confidence that there was a permanent organization, charging me not to reveal the fact, and I obligating myself that I would not say anything

about it. That is the first thing.

The second thing: he comes out, when it would weaken the force of this agreement, and acknowledges in open court that he had called me out and told me that there had been a

permanent organization effected.

Then, in the third place, this brother, standing on the floor of Presbytery, said that he had recently seen the Minutes kept by the clerk, which were in the hands of the clerk, and that there had been an organization effected. Yet, at the same time, here was one man on trial, saying that he had an affidavit in his pocket,—which he did not lay before the Court,—saying that he had the affidavit of the President of the Meeting, that there was no permanent organization, no organization at all, effected. It is no wonder the Moderator said just then that it would be in order at this time to have the Minutes of that Meeting and the affidavit laid upon Presbytery's table. I do not know whether the affidavit was in the form of a telegram or in the form a letter; but it was then in the possession of Mr. J. R. J. Milligan, according to his own statement, for he had taken it out of his pocket, if I recollect rightly, and had it in his hand. But that affidavit and those Minutes were not laid upon the table of Presbytery, as they should have been, in a case of this kind, when it was so

important to know just what the facts were.

Now, my dear Brethren, I wish you, in connection with this matter, to look at what we have in our own Book of Discipline. We have this: "No private knowledge, possessed by members of the judicatory, shall be suffered to influence the decision, as that must be based entirely upon the evidence before the Court; but it is the duty of every member of a judicatory to make known to the Court, as a witness, everything he may know that is relevant to the case before it, or may tend to a righteous decision."

Mr. D. TORRENS: What page?

Dr. McALLISTER: Page 78, paragraph 29. Under this rule it is the duty of every member of this Court to-day, who has any knowledge bearing upon these cases, to bring the facts that he knows before this Court. If there be any member here that knows anything about a letter, any letter,—if there be anybody here who knows anything about the facts in this case, known to be facts, -under the constitutional law of the church he is bound to bring those facts before this Court.

What it is the duty of members of this Court now to do in a case that concerns the welfare of Zion and the glory of her King,—in a case that concerns the spiritual welfare of those who are before this Court as under discipline,—is a matter that pertains to their own soul's eternal salvation. Any member of this Court who fails to bring what he knows before this Court, will have his responsibility before the judgment bar in

the great day of final accounts.

What is true here to-day was true then at the meeting of Pittsburgh Presbytery. These same things ought to be put upon Synod's table to-day. That affidavit should be put upon this table; those Minutes should be put upon this table. They ought to have been put upon the table of Presbytery. They were not. Presbytery in its leniency did not demand that they should be. Synod in its leniency may not demand . that they shall be. But the moral obligation remains the same. It was a moral obligation at the meeting of Presbytery, and it is a moral obligation in this meeting of Synod.

Now in this connection I must not overlook one little item with regard to this organization. My brother has called attention to the nature of the Platform, and what the Platform was in the heading of it and in the statement of it; it might be added, in the very manner of printing it. I believe members of the Court have seen copies. I am sorry that there is not a copy of the original edition here, but I will not insist

upon that. Some may have such a copy.

When this matter was brought before Presbytery at the meeting to which I have referred, Mr. Temple spoke of his being clerk, and of the effort that was made to secure signatures, sending this Platform around through the church to obtain them.

Why, what kind of a meeting would that be? Would you call that nothing but a pr.vate meeting? Just a few persons coming together for a little conference and then disbanding and nothing more of it? But in this case a platform is printed, a platform is circulated.

(At this point a paper was handed to Dr. McAllister.)

This is not the original paper; this is not what I want. What I wanted is the original paper which I saw, and which I do not happen to have a copy of, as it was originally printed. But I do not dwell upon that particularly, except in this. It was brought out in Mr. Temple's statement on the floor of Presbytery that the object was to get names, to make a kind of enrollment of the friends of Christian union, on the basis of this Platform. That was the idea. Now is not that an organization? Is not that intended to be an organization?

I do not hesitate to say, Mr. Moderator and members of this Synod, that had it not been for the fidelity of the elders of Pittsburgh Presbytery, as they called that meeting; as they felt that a time of crisis was upon the church; as they saw that the very foundations were being upheaved, and we were in danger of having developed an imperium in imperio,—that is a government within a government, an organization within an organization;—it was not until the elders, realizing that if it were left to run its course, it would topple our beloved Zion into the dust, raised the cry and called the faithful elders together in the city of Allegheny; and that put a stop to what would have developed into a permanent organization of these "friends of Christian union." Had it not been for that work, we would have had this organization to-day.

In saying this I am simply giving my judgment, not upon facts, for they have not developed into facts, but upon what would have developed into facts,—repeated meetings of that organization, carrying on the same work,—had not the alarm been raised, and a barrier been reared, and fortifications set up. And let me say to the gentleman who has been talking about how fortifications have been battered down one after another, that the fortifications of the Elders' Convention have not yet been battered down; the fortifications that have been raised by the faithful Covenanters of our country for the maintenance of the integrity and life of our beloved Zion.

Complaint has been made also of injustice and wrong because reasons were given by members of Presbytery when voting,—reasons outside of what is found in the libel. There is one that is particularly mentioned, and that is what was said about a secret society.

I am going to give you in all frankness, my dear Fathers and Brethren, just exactly the impression that was made upon my mind by these developments. If I have ever seen the

workings of what was practically a secret association (I have never come much in contact with Free Masons, or Odd Fellows, but I have come into pretty close contact with the workings of the organization effected at the East End Meeting, and I have to say in reference to that), the essential evils of a secret society were there.

Do you ask in what way? Well, take the case I have already referred to. Why should a man at a meeting of the Judicial Committee, or in any court, feel himself under constraint because of a bond that he had entered into that would stand in the way of his free, manly discharge of his duty in that Committee?

I am thankful to God, my Saviour, that in a comparatively long life as a member of this church Court I have never come to a meeting of Synod trammeled by any contract, or agreement, with any brother; and I would have regarded myself as being untrue to my Master had I thus trammeled myself.

There were controversies in our church in days gone by, when some noble men that have gone to their rest, stood side by side in great issues. There is the picture of one of them. (Rev. A. M. Milligan.) Side by side with him was Dr. Sloane. I do not say that it is wrong for men to meet in friendly conference to speak about what they think. I believe that I attended one such meeting in my life, not a secret meeting, but a meeting of a few friends, when we conferred on what we thought would be a wise measure in reference to a church court.

That, however, is a different thing from this kind of secret conclave,—holding men together in bonds that do not leave them free to carry out their own conscientious convictions. Talk about liberty in the Lord, and about freedom of conscience in the Lord. When men enter into agreements that thus keep them within bonds of restraint. they make themselves slaves,—and worse than slaves in physical bondage,—when they dare not say what they think is right, nor do what they think is right, without consulting with others with whom they have entered into some kind of engagements.

Now I maintain that we have here repeated illustrations of this. At the meeting of Presbytery, when a proposition was made, there wasn't a man of the six who could stand up (no, let me say seven, who could stand up), and on the basis of his own manhood and Christian character, in the fear of his God and in loyalty to his Saviour, and with regard to the majesty of the divine law, say for himself what he would accept, or what he would not accept from Presbytery. But there had to be a consultation and conference together, that the whole company might hold together, so that one would not be found accepting something that others would not be willing to accept. Is not that the very element of a secret association?

I told you I would read some Scriptures in connection with these matters. Let me ask you to turn to Ephesians, 5th chapter, 11th verse: "And have no fellowship with the unfruitful works of darkness, but rather reprove them. For it is a shame even to speak of those things which are done of them in secret." You may say that may refer to some of the vile abominations under the old pagan worship. But there may be what is just as much in opposition to divine law where there may be none of the abominations of idolatry, but when men may be made slaves in their souls. "But all things that are reproved are made manifest by the light; for whatsoever doth make manifest is light."

Now, Mr. Moderator, I wish to stand upon this basis, that until the Minutes of that East End organization are put upon the table of this Synod, and until the telegram signed by the President of that association is put here in the full light—

Rev. J. F. CARSON: I never sent a telegram.

Dr. McALLISTER: Or letter, or whatever it was, let it be what it was.

Rev. J. F. CARSON: These are false statements that are

Dr. MCALLISTER: If it was not a telegram, will he tell us what it was?

Rev. J. F. CARSON: It was an affidavit, and I could ex-

plain that very fully.

Dr. McALLISTER: I still hold to my assertion, until that affidavit, and until the Minutes of the East End Meeting are put in open daylight before this Court, for all the members of the Court to see, and know what was done. I will say that these are the products of the secret works of darkness, with which we are commanded to have no fellowship, but rather

to reprove them.

There are two kinds of administrative government. I have had consderable experience with one kind, and that is what might be called College government, which is the discipline or care of College boys. That kind of discipline or government is about of this style. I suppose most of you know something of it, and I need not enter very fully into particulars, but it is about like this. There is some mischief done. The President of the College and the faculty are greatly distressed. The mischief has been done. That is a fact. But who did it? There may be pretty strong suspicion that such a student, or such another one, had a hand in it. There is no very clear evidence, however, with regard to the matter. Perhaps a number of boys are called up before the College faculty, and there is inquiry made in regard to this mystery. Unless there be something in the way of positive evidence that can be brought up, the faculty will be laughed at as making a great ado about something of which they can't get any definite knowledge.

I must say that I never did believe in College in asking a student to criminate anybody else, either by having him say that such a person had a hand in such a thing, or if you had a half dozen before you, among whom you are sure you have hold of one of the culprits, you ask A, "Did you do it?" and he says, "No;" and you ask B, "Did you do it?" and he says, "No;" and you go on until you corner the man who did it I do not believe in that. That is all proper enough in the family where the father will ascertain just what is being done. I would not ask that that should be done in College. And I must say here that I fear sometimes that habits that may be formed in looking at moral questions in College life, may sometimes follow men in after years as a penalty.

When we come into the church of the living God we come where it is the duty of every man to offer himself in complete consecration. Brethren, what have we just been considering here in our session? What was the subject of our devotion this afternoon? "Entire, unreserved consecration of ministers, elders and people to the service of our Lord and Saviour Jesus Christ." It is according to this principle that our Book of Discipline goes when it says that if any man knows anything, he shall not, like a College student, who can only be made to say that he did such a thing when the evidence is brought overhelmingly down upon him, and he cannot escape conviction;—it is not for the members of the church of Christ to put themselves in that attitude; but they are bound, as members of the church of Christ, concerning the rights of their brethren in Christ, concerning any cause wherein injustice may be done to Presbytery, or injustice may be done to a member of Presbytery, or where the cause of Christ may suffer; they are called upon, as those that are free men in Christ Jesus, to lay the whole matter before the church of God and the Court of the Head of the church. And if there be any wrong that has been done, the principle that was stated by Joshua to Achan holds true, -- "My son, confess and give God the glory;" that is, the glory of laying the whole life before the Court of the Omniscient One with whom we have to do.

I now pass to the next point. It is charged that members of the Court prejudged the case. Why? Didn't they hear the testimony? Didn't they hear the testimony at the first meeting of Presbytery? There were witnesses then, and they were judges then; not, it is true, already upon their full responsibility as judges, but, they were the same persons, and as members of the Court they heard the testimony, and they could not resist the operation of their minds, and the logical conclusion to which they were forced by what they heard was that certain men were guilty of pursuing divisive courses. And I do not wonder that one elder broke out, (although I think it was injudicious for him to do it,) and said, "I am al-

ready prepared to vote." Every member of that Presbytery would have been prepared to vote without hearing a word in the way of defence. They could have been brought to a vote without any formal trial, inasmuch as the charges were there, and the subsumption was there, according to the old Scottish term, and the probation complete. The witness had given the testimony. The Court itself was the witness, and the testimony was all in. The Court was ready to pass its judg-

ment, and it was no prejudging of the case.

But what shall we say with regard to this kind of a charge, when the very men that were alike in the scandal, participators in it, had no hesitation to sit and deliberate and vote on what was substantially their own case? What kind of prejudgment of the case was that, when two members of that Court were then sitting in judgment on the five who were under trial for the very causes and very scandal with which they were afterward charged? What kind of prejudgment of the case was that, when those two men sat and deliberated and voted on what must have been the prejudgment of their own case, and rendered the verdict, which they would desire to have given in their own case, upon those with whom they were equally guilty?

Mr. D. TORRENS: I hope the Doctor will explain that. I

for one don't understand what the reference is.

Dr. McALLISTER: I will explain it in detail. There were five persons who were libelled at the first regular meeting of Presbytery. No, they were not libelled; but steps were taken

with regard to the seven.

The first meeting of Presbytery was in October. The matter came before that Presbytery originally through these memorials, and seven persons were mentioned. These seven persons, as the Minutes say, at that meeting all acknowledged that they had been at the East End Meeting, and that they supported the East End Platform. That was the evidence. Efforts were made through the Judicial Committee, which held its meeting on the 22nd of October, to bring about a reconciliation; they agreed upon a basis, and it was reported to the next meeting of Presbytery, which was held early in At that meeting in November, two of these seven were absent; and the effort at reconciliation with the other five having failed, the trial began. That is, the citations and libels and so on were agreed upon, or rather it was left with the Judicial Committee, and they were ordered to make the preliminary arrangements.

Then Presbytery came together in December when this trial of the five was conducted, and at that trial of the five in December the two who had been present in October, but had not been present in November, were then present and sat and deliberated and voted with regard to the verdict in the case

of the five with whom they had been associated.

The next point to which I ask your attention, is with regard

to the conduct of members during the trial.

Complaint has been made of injustice and wrong because of the conduct of members of the Court. I am very frank, dear Fathers and Brethren, in making acknowledgment that I did eatch myself nodding, though I was Moderator. I might give you some extenuating circumstances. It has been my very great misfortune in life to have burning conflicts put upon me. I do not know how it is, but if there is to be anything in the way of a struggle, I have some way or other always had my share in it. And burdened as I was when I sat there listening to those long addresses, I did find myself so overcome that occasionally I would lose for a little my consciousness, and I would catch myself nodding, and make an effort and rouse up and pay attention. I suppose that is one of the things specially referred to. I am sorry for the weakness. I did strive against it. I got hold of my leg and pinched it until it was black and blue, trying to keep myself awake. I did all that was in my power, and I am ready to be censured with whatever degree of censure may be thought just to be inflicted upon me.

There may be some other things of that character. But I stand here before you to say that I never witnessed such successive, long continued meetings of any Court where there was so much forbearance and patience. One reason was I was not on the floor. The Presbytery had the good sense to put me in the chair where it kept me a little bit more quiet than I would otherwise have been, and so there was not so much striking of fire, I dare say for that reason. It was calm. Everything was conducted with a great deal of order, and there was every manifestation of the hearts of ministers and elders being touched with the deepest sorrow. That was

the one side.

I appeal to the many witnesses who were present, if it be not true that the persons that were under accusation were often gathered together in a group laughing. They were often treating with lightness and flippancy the most sacred and serious things. I ask if they did not gather around one, not now with us, who seemed to be a leader, and who took part with them in this kind of conduct that was so frivolous and so utterly unworthy of men that were standing to answer before a court of the Lord's house.

I am ready to make the appeal to all of candid mind who were present during those trials, and ask what the facts are in reference to the conduct of members of the Court on the one hand, and the conduct of those on trial on the other. And I know that the verdict of every fair-minded one will be that while on the one hand, even as the reporters themselves, with all the prejudices that they so naturally have in favor of the young men, who seemed to stand on the side of "Young

America,"-notwithstanding all these prejudices, the reporters themselves gave testimony that on the part of the Presbytery it was "in sorrow and in tears," whereas the others seemed to think but very little of it, and their trouble sat very lightly upon them. I leave it with that statement for the members of this Court to consider.

Now I pass on, Mr. Moderator, to the consideration of the particular case of Mr. Milligan. Mr. Milligan has given utterance to his strong desire that this case should be treated

separately. I do not wonder at that.

A MEMBER: Which Milligan?

Dr. McALLISTER: Mr. J. R. J. Milligan. He has expressed a strong desire that his case should be treated separately from the cases of the others, and I do not wonder at it. I do not wonder that he does not want to be held responsible for utterances made on the floor of Presbytery, and utterances made on the floor of this Synod,—utterances which I believe to be in direct antagonism to the Bible principles of the Covenanter church.

Let us see with regard to this case of Mr. Milligan. He makes a demand that his case should be treated differently, inasmuch as he never rejected the basis that was prepared by the Judicial Committee. That is true. As we have already seen, Mr. Milligan was not at the second meeting of Presbytery when the Judical Committee reported that basis. Consequently he had no part in that refusal to accept the basis. But I think that while this is admitted, yet Mr. Milligan has no right to claim that a basis which was prepared by a Committe, and by that Committee reported to Presbytery to be acted upon by Presbytery, should be binding finally upon the

Presbytery.

I am willing to concede all that has been said; and I am very frank to concede my own mistake in what is, I suppose, quite characteristic of myself; that I was so rejoiced when we did reach that decison in the Committee, that although, as I have told you, I never thought for a moment of it being anything but a committee,—while I did not suppose that it was a final settlement, and knew it could not be that, as it was only one we could report to Presbytery as a committee; yet I felt sure.—particularly after my interview with Mr. Temple. about which I couldn't say anything to anybody else; I could not speak to the other members of the Committee about it.-I felt sure it would be accepted. He had given me such assurance that he sincerely accepted my advice, and that he did sincerely disayow the East End Platform as a bond of union, and was ready to stand by every principle of that basis of agreement, that when at length they did agree to it, as they have said, and one of them said that he had grown to that point that he would regard requiring him to put his name or signature to what he had given his word to, as something altogether against his honor; and I took it in that way also, that when the word was given, it was just as sacred and just as binding as if the pen had been taken in hand and the name written out in subscription to that agreement; therefore, when we all settled down, as I thought we did with honest purpose, I jumped up in my impulsiveness, the first one, which I couldn't have thought of doing if it had been a commission, and I gave my hand to the man nearest me. and I went around with pleasant remarks, making it just as pleasant as I could, thinking the matter had come to a final settlement.

That is the fact: but that does not change this additional fact, that it was only an agreement by a committee to be reported to a court for that court to act upon; and when that court did take it into consideration and act upon it, and made it the agreement that was satisfactory to the Court (and it was the Court that needed to be satisfied), it was not for any one of these men,—it was not for the Rev. J. R. J. Milligan any more than it was for any of the other of the five or six, to write down a basis and say, "Here is something I demand as a basis of agreement." It was for the Court to formulate a basis that would be satisfactory to itself, and to offer that basis, and if the basis were accepted, well and good; if it were not accepted, then the Court was not to blame. So that Mr. Milligan had no right to look for this basis being binding in his case any more than it should be binding in the case of any other. It was for him to take the basis that the Court in its wisdom would agree to offer, and accept of it; if he could not accept of it, consistently with his honor, then, I think, the one thing for him to do would be to say that he could not remain in connection with a church where he would find himself so utterly at variance with one of her chief inferior iudicatories.

Again, in connection with this matter, Mr. Milligan wishes to be separated entirely from the others; but his connection with them is such that that separation cannot take place. If he desired to be separated from them, why did he not separate from them in conduct? If he desired a separation, it was possible for him to have the separation. He could have had the separation any time he wished it by his own act,—by standing out in the free manhood of entire independence and saying, "I will not allow any agreement with other men to control me; I am not going to consult with them as to what I shall do, as to what shall be the course of action to be taken here; but I will say, in the presence of the Judicial Committee or before the Presbytery, what I think is right, and I will decide for myself." That it was possible for him to do, and that is what he ought to have done early in the proceedings

of Pittsburgh Presbytery.

As to his objection to certain members of Presbytery voting

in his case, I will just make the point I made a little while ago against him. I do not see how he can consistently object to any elder voting in his case. He says that some of the elders, who voted in his case, were not at that original meeting in October. Admit that they were not there. Yet I want to bring this fact before you,-they had the full testimony of the case before them, just as truly as if they had been there. If they had been at the meeting in October, what would they have heard? They would have heard Mr. Milligan and the others admit their adherence to the East End Platform. They had the testimony before them that such avowal was made.

Mr. Milligan never disputed or denied the fact. There never was any occasion to ask him in reference to the facts. So that the testimony was in in its completeness; the charge made, the specifications before the Court, and the witness given at that meeting in October, and the witness also practically given at the meeting in December, because even then, when the question of the admissibility of the charges, and of the relevancy of the charges, came up, Mr. Milligan did not for one moment deny the fact, nor did he for one moment deny that the Court was in possession of the evidence of the fact. So that these members of the Court had the full record of the case with the testimony before them when they proceeded to vote.

But in reference to Mr. Milligan himself, I may still bring up the charge I brought up a little time ago, - that he himself, together with Mr. McClurkin, had no hesitation in voting on the other cases; so that it is hardly in place for one who was ready to vote under such circumstances himself, to bring a charge of injustice and wrong against others voting when they could not be so prejudiced in the case; when they must have been far treer in their minds to give a righteous verdict, then he possibly could have been.

But there is still another thing to be noted in reference to Mr. Milligan's case, to show that he cannot claim this entire separation, and that is his inconsistency. I am very sorry to have to speak of this, but it is a fact that needs to be brought

out.

At the meeting of Synod in 1889, Mr. Milligan voted against the resolution of Synod which approved of voting on the part of our members on Constitutional Amendments. It was distinctly understood by a great many,-I do not know whether they were mistaken or not, but at all events it was the feeling in the minds of a great many in Pittsburgh and Allegheny, as well as elsewhere, that he voted against that resolution because he thought it was a sin to vote for a prohibitory amendment.

Now that this was just, I may offer this evidence. In his own defence he has repeatedly said that he holds to this old

position of the church,—that it is a sin which no Christian man should be found guilty of, to vote for an officer to administer the government. He also contends that it is equally a sin for any Christian man to vote for a prohibitory amendment. Voting for prohibitory amendments and voting for officers to administer the government, he holds, are both exactly the same sinful act.

That is what he has argued before this Presbytery again and again. And yet the fact is that he came home from the meeting in Belle Centre in 1889, and when the election in this State came off on the prohibitory amendment, Mr. Milligan went to the polls and voted for it. Now what is the consistency of an act of that kind? Going deliberately to the polls and casting his ballot in a matter which, according to his own argument, was a sin,—an act that no Christian man could consistently perform! That is one inconsistency, to begin with.

Again, in connection with that is this to be noted: The close connection of Mr. Milligan with that one who was always recognized as a leader. The special intimacy between Mr. Milligan and the one who seemed to be manufacturing ammunition for the young men at the meeting of Presbytery; who was constantly in consultation with them; who was sitting in the corner laughing with them; and who seemed to be finding no little sport, and a good deal of a quiet kind of enjoyment, to say the least, in the proceedings that were going on.

It is no secret that that gentleman takes the view, sincerely and avowedly, that the position of the Covenanter church is unscriptural; that she has, by distinctions which are altogether delusive, put herself on the ground of political dissent; and he has, consistently with that view, though at a somewhat late day, retired to another place where he will find himself more in harmbny with his surroundings.

It was inconsistent in this brother, while he would stand on the ground that he held to every principle of the church, to the Scriptural position of political dissent.—while he held it was a sin either to vote for an officer to administer the government or for a prohibitory amendment to a State constitution,—it was inconsistent for him thus to be in such constant intercourse and communication, as if in agreement, with one that was known to be in antagonism to the position of the church.

And this is another thing that has brought this member into this kind of connection which makes it impossible for a separation now to take place. He is so linked together in this kind of an organization with those who put themselves on a different ground from that held by the Reformed Presbyterian church, and by acts that are inconsistent with each other, that he is thus placed where we cannot separate him righteously and justly from the others with whom he has been associated.

But I have not done with this altogether. There was a knowledge of facts (and this I have referred to in another connection) with regard to this proclamation after there had been an engagement that all would be kept quiet; that is, an engagement between the members of the Judicial Committee and these young brethren who had met with them, and who had entered into that agreement, that nothing would be said about that basis.

As you have already heard, immediately afterward there was the proclamation of a great victory for the young men. The tidings that appeared in the newspapers; the tidings that went to the Banner in the city of New York, going so particularly, as you have heard, that, although the magazine had already gone to press, yet a place was found on the cover for substantially the same statements that appeared in the Pittsburgh papers. And so there was Mr. Milligan's participation in this in so far as he never disavowed it: in so far as he did not come out, as he had the opportunity to come out, and

separate himself from that, which he never did.

That this was a kind of a triumph there is no need of attempting to cover up. What has come before you already is in perfect harmony with what I have read somewhere of certain self-complacent would-be young Napoleons, who are reported to have said, that they had met the enemy at Gettysburg, and put them to the run as Meade had put the rebels to the run, and that the only trouble was, they didn't follow up the victory; that there ought to have been a following up of the victory; and that some person had declared of another in this matter (and I am not locating it at all) that he fairly roared at the way in which such young fellows brought ecclesiastical magnates to their knees in the presence of the boys.

Where there is knowledge of anything like that; where there are any such facts as these, and knowledge of the facts, there cannot be the separation of one man from the company

with which he has been associated.

I come now to Mr. McClurkin's case. In Mr. McClurkin's case there was the denial of the admissibility of the libel. I need not repeat all that we have here, both in the declinature and in the complaint. You have heard them read. He does not take exception to any of those points just noted. Let me give you what he does say, as it will be better to have it before you: "I complain against the action of Pittsburgh Presbytery in admitting the libel against me for the following reasons: First. Such action is illegal. A libel, in order to be legal, must contain the witnesses to substantiate the testimony. The libel contains the names of no witnesses whatever."

I have shown that this libel did not need the names of witnesses, as the Presbytery itself was the witness, and the testimony was in and complete. But he continues: "Second.

Such action is unjust. Such procedure would subject any member of the Court to process and discipline without any regard to the truthfulness of the accusation. Third. The libel itself contains false testimony. It offers as testimony the assertion that on October 15th, 1890, I made statements which I did not make."

Mr. McClurkin ought to have told us, that in connection with the consideration of the admissibility of the libel, he said nothing about that; nothing until he came to the consideration of the relevancy of the libel. And here I wish to give you a full statement, as nearly as I can, of all the facts

in the case.

It was at the morning session. There had been the same course of procedure as in Mr. J. R. J. Milligan's case. There was an objection because the Moderator would not record his decision about the relevancy of the libel. There was the same line of argument with regard to the relevancy of the libel, and the Moderator decided in this case just exactly as he decided in the case of Rev. J. R. J. Milligan, as he had satisfied himself fully that he was right; that he had followed the law strictly in the former case, and he would follow in exactly the same line in the present case.

It came to the point where the question of relevancy arose. At that point Mr. McClurkin, in the remarks that he made, declared that the testimony was false, and said that there were persons present who would on oath confirm his statements. Now mark, he did not say that he denied the facts. He did not say, "I deny that I was at the East End Meeting." He did not say, "I deny that I approve of the East End Meeting." But he said, "I deny that this Court is in possession of

the evidence."

Just at that point Mr. McClurkin said, "I cannot look for a fair trial where anything like this is being done, and I therefore decline the authority of the Court." As Moderator I said to him, "Mr. McClurkin, do you understand all that is involved in that? Let me explain to you. That declinature must be handed in in writing. There can be no declinature until it is written. You must write it out. Bear in mind, again, that if you present this declinature with your written reasons, it will come before Synod, and you will have to be tried on that declinature, and if that is not sustained, your case falls through. You will have to be tried before Synod on the reasons which you give for declining the authority of the Court."

That is what we should have done, as I stated in my introductory remarks, if we had held strictly to the law and order of the church; and Mr. McClurkin would have been tried here first on that declinature. We, however, waived that, simply because we did not want the slightest idea in any mind that there was any effort to suppress anything. We

wanted everything to come up. We wanted to waive all these formalities of law, and let them have full opportunity to say all that they could say, and that opportunity has been given.

It was almost twelve o'clock when Mr. McClurkin gave that notice of declinature. When the Moderator told him he must write it out, he sat down and began to write it out. He sat for a little while. We spoke about going on with other business. He said it would take him some time to put it in shape. One member of the Court, I don't remember who, moved that we take a recess about twenty minutes or a quarter of an hour before the time. We took a recess, and during the recess that declinature was written out.

When we came together after recess, I immediately opened the Book of Discipline, where we have the rule that is laid down for action in all such cases. Mr. McClurkin was standing ready to read his declinature. He had made statements, as I told you, denying the possession by the Court of evidence.

I will read to you the direction of our Book of Discipline which I immediately carried into effect, and which is found on page 75: "If on careful consideration the charges be found not relevant, all further proceedings must terminate; but if they are sustained as relevant, the accused is to be interrogated as to the matters of fact. If he admit them, the way is open for a decision."

As I explained, in the other cases these interrogatories were not put, because there was no need of them; every one of the other six had acknowledged the facts. Here was the first one who refused to acknowledge them, and who denied that the Court was in possession of them. Inasmuch, then, as he entered his denial that the Court was in possession of evidence, I followed the rule which we have here,—'The accused is to be interrogated as to the matters of fact.'

So I addressed the accused and said, "Mr. McClurkin, the others have acknowledged the facts of being at the East End Meeting, and of approving of its Platform. You do not. You say, we have not the evidence." Now we believed that we had. And I will bring before you the evidence that we had. But when he denied it, I put the interrogatory, "Were you, or

were you not, at the East End Meeting?"

This was evidently utterly unexpected, not only by the one who was interrogated, but by his advisors, especially by the chief advisor, who manifested utter surprise. There was confusion. The face got red, and there was a good deal of hesitation, and hemming and hawing, and an attempt to say something else; but I simply pressed the matter: "As Moderator I insist upon an answer: Were you, or were you not present, at the East End Meeting?" Still there was hesitation, and again I pressed that either by "Yes" or by "No" he must answer the question; and then he said, "I decline to answer."

If there had not already been notice of declinature, that would have been the point for the Presbytery to have suspended for contumacy, right then and there. The Presbytery would have been justified in suspending that person for contumacy in refusing to recognize the law and order of the church. He had, however, put in his declinature, and I said that his declining to answer was in harmony with his declina-

ture, and we would let the matter go.

Now these are the facts. The case went on. It may be said, "Should not this declinature have arrested the proceedings?" A declinature is simply an interlocutory appeal, and it is subject to the same rules as other appeals. You may go on and finish the case. If the Court see fit, it may arrest proceedings; but if the Court see fit, it may go on; and the Court saw fit to go on, and the prosecutor in the case. or the one who represented the Presbytery, was Professor Willson; and when he brought the case before the Court he did it in this way: "I wish simply to ask that three things be put upon the record: Ist. What is the Minute as to Mr. McClurkin's acknowledgment at the meeting of Presbytery in the month of October?" The Minute was read. I ask for the reading of that Minute now.

(The clerk being unable to find the Minute just then, the

speaker proceeded as follows:)

While that is being looked up, I will mention the second question. The second question was to be answered and the answer to be put upon record: "2nd. Did not Mr. McClurkin

sign the basis of agreement?"

The fact was brought out that the chairman of the Judicial Committee sent on to Mr. McClurkin, who was in the distant West, the basis that had been agreed on. It had been agreed to by the six that were present, and as Mr. McClurkin was not present, it was sent to him. He returned it with his signature attached to it, disavowing the East End Platform, and so on.

The third thing was this: "3rd. That there be put upon the record Mr. McClurkin's declining to a swer the Moderator's question when he was interrogated as to the facts, whether he was at the East End Meeting and gave approval

to its Platform."

With these three things put upon the record, Professor Willson submitted the case, and the Presbytery took its vote, and quite unanimously (perhaps there was one vote, yet I am not sure, as my memory does not serve me very distinctly, but it was almost a unanimous vote) found him guilty under the testimony that was thus brought before the Court.

(The speaker here inquired of the clerk as to whether he had found the Minute asked for, and being answered in the

negative, proceeded as follows:)

I can give the substance of the Minute. When all the seven were present, and when all the seven attempted to vindicate

their connection with the East End Meeting, and the East End Platform, the Minute reads that Mr. McClurkin, along

with the rest, did the same thing.

I wish to bring in connection with this the testimony that that Minute was read at the close of that session, and Mr. McClurkin made no objection to it. He was not present at the next session when it was brought up for final adoption, but he was present at the next meeting when the five were tried, and when the trial proceeded on the basis of that Minute as a part of the testimony; and when that testimony was brought out in open Court, in the most distinct manner, he never took an exception to the Minute; and at the time of the discussion of the admissibility of the libel, he still made no objection to the accuracy of that Minute; and not until we came to the discussion of the relevancy of the libel, did he put in his declaration that the Court was not in possession of any such testimony.

Mr. Moderator, let me read here in this connection the law as we find it in Hill's Practice. I have referred to our own Book of Discipline, the 75th page, and I have referred to Steuart's Collections, where the duty of any one who is in the Court to make confession is spoken of, and now I bring this testimony also from Hill's Practice in the Church Courts, page 57: "If the libel is found relevant, endeavors are used to bring the minister to a confession; and if he confess, and the offence be of a scandalous nature, the Presbytery instanter depose him ab officio, and appoint him to make public profession of his repentance." This refers, of course, in the latter part of the paragraph, to cases of immorality. But the practice applies in all cases, whenever a libel is found relevant, whether it be a libel on the ground of heresy, immorality, or

contempt.

This was a libel for pursuing divisive courses, the real idea of heresy; that is, the rending asunder the tearing apart, of the body of our Lord Jesus Christ. And when this libel was found relevant, those named in it were accused as disturbers of the peace and good order of the church of Christ. Endeavors were made to lead Mr. McClurkin to acknowledge it. The testimony was all-sufficient. The libel contained in it sufficient to induce Presbytery to find him guilty without his confession. But when we reached this point, there was the declaration that the Court did not posses any evidence, and we followed out our own Book of Discipline, and this work, Hill's Practice, and used endeavors to bring him to a confession, and he refussed, and declined the authority of the Court.

(The Minute requested by the speaker, having been found

by the Clerk. was read as follows:)

The CLERK reads: "Item No. 2 was adopted. Opportunity was given to brethren to explain their position and connection

with the matters complained of. Statements were volunteered by Revs, J. R. J. Milligan, H. W. Reed, E. M. Milligan, A. W. McClurkin, O. B. Milligan, W. L. C. Samson, and H. W. Temple, all of whom attempted a defence of their connection with the adoption and publication of the Platform referred to

in the Memorials."

Dr. McALLISTER: Now, Mr. Moderator, Fathers and Brethren, I leave this part of the subject. To the first part I wish you to give very special attention,—the grounds of complaint of injustice and wrong; and I submit to you that I have gone over the matter with careful, painstaking accuracy, that I might not leave any point untouched. I have looked at the whole field;—the admissibility of the charges, the relevancy of the libel, and the other miscellaneous points of injustice and wrong which have been made, and I believe that you will all say, in the judgment of your candid, honest minds, that I have removed whatever ground has been brought before you that seemed to have any foundation to it for a complaint of injustice on the part of Pittsburgh Presbytery in its manner of going forward and proceeding with these cases.

SECOND. I wish to take up in the next place, the appeals from the verdict finding the libelled ministers guilty of pursuing divisive courses. And here we should understand clearly the nature of the charge. It was not a charge against their moral character. Let us be thankful to our Lord and Master for that! We can hold these brethren in high esteem for their moral virtues. It was no such charge as would bring disgrace, as immorality brings disgrace, upon the Christian profession,—upon the men themselves or upon the

body with which they are connected.

It was a case somewhat similar to that of Mr. MacQueary; more analogous to that case than to the case of Dr. Briggs. Dr. Briggs' case is, it is true, something of the same nature; that is, he had been accused, not by a formal libel, but it was substantially a libel, brought before the Assembly, although of course the Presbytery is the proper Court to institute proceedings, charging him with such teaching as would disturb the peace and order, and rend the body in which he occupies so eminent a position. In that case, however, it seems, it is thought that the matter can be adjudicated by keeping him out of the position where the greatest harm would be done, and retaining him in another and lower position.

I do not hesitate to say that any such compromise as that will work incalculable mischief to the great Presbyterian church; that where there is an influence that would disturb that church in one position, it will disturb it in the other, and the root of the evil will not be reached by any such half-way

measure as that.

In the case of Mr. acMQueary there was a suspension from

the ministry. His moral character is not assailed. But he was suspended from the exercise of the ministry in the Protestant Episcopal church, because the authorities in that church felt that to allow him to go on in the course of teaching which he was pursuing would tend to rend asunder that portion of the body of Christ, and on this ground he was suspended from the ministry in that denomination.

Akin to that is the case we have before us. Let me once more say that the Presbytery does not impute motives. It does not make any accusation as to the purpose. It does not interpret intentions. But let us be careful in regard to

our distinctions here.

You say intention is essential to any intelligent act. So it is. And I affirm that these men intended to hold the East End Meeting, and they did hold it according to their intentions. I maintain again, that these men avowed the principles of the East End Platform, and they intended to avow them. Nobody can say there was no intention there. They did attend of set purpose, that Meeting; and they have avowed, with equally set purpose and determination, the

principles of that Platform.

There is the intention that must accompany an intelligent and responsible act. What is, however, maintained, is this: I admit they did not intend, and the Presbytery did not impute to them the intention, of dividing the church. The Presbytery did not impute that as a motive. The Presbytery did not say to these brethren, "You went there with set purpose and the deliberate intention of tearing the church to pieces." No such thing, Mr. Moderator. There was no intention of that kind imputed. Presbytery makes no such charge, and therefore the Presbytery was at liberty to give to them, if they had been willing to accept it, the certificate of moral standing, that there was no charge against their moral character; and that even in the matter of any intention to disturb the peace and order of the Reformed Presbyterian church. I simply refer to what my brother has so clearly set before vou.

I maintain that the Pastoral Letter never intended to say, and I insist it does not say, that Presbytery offered such a certificate to them. It does not say that Presbytery proposed it. The proposition was made in Presbytery, and I have no doubt whatever that if there had been any indication of any willingness to accept it, Presbytery would have agreed to it.

Mr. JOS. STEVENSON: Just let me ask a question: Were

all of the seven present when that offer was made?

Dr. McALLISTER: No, sir, five were there. This proposition was made in Presbytery. Had there been any indication of willingness to accept it I have no doubt it would have been given to the five then and there, and to the two others whenever they would have come before the Presbytery, if they had

indicated any willingness to accept the same kind of a letter of standing. So that the distinction as to not being at that meeting amounts to nothing. There was a willingness shown on the part of the members of Presbytery which would have been put into a vote of Presbytery, had not the way been barred.

I am sorry, for my part, that the question was not put to a vote, so that the offer could have been made directly by the Presbytery. But the willingness of Presbytery to do it was so clearly indicated that it matters but very little that it did not take the shape of a formal vote, because the refusal to accept it, on the part of the five, at that first meeting was so prompt and so emphatic that the members of Presbytery felt that there was no necessity for entertaining the thought any

longer.

We come now to the matter as to the fact of division in the church. Motive was not imputed. What are the facts? These facts have been adverted to by the complainants and appellants in most feeling and most touching terms. I felt my own eyes moisten as they spoke of the condition of these congregations. It is not necessary that I should draw any picture before you of the condition of our sister congregation in Allegheny. Just at present I am not going to say anything about who is responsible for it. I will take that up

presently.

But what is the fact? The congregation is torn and distracted; members of the same family even alienated from each other; elder alienated from brother elder; households that used to sit together in loving fellowship and companionship hardly speaking with each other. And one congregation simply represents the condition of a number of other congregations. Nobody disputes the fact that some one, whoever it may be, in the Covenanter Church of America, has been pursuing divisive courses. That is a fact that remained unexplained and unchallenged; and that is the fact that Pittsburgh Presbytery had to meet. It had to face it. It had to make inquiry, what is the cause of this? What is the root of this? Who are the responsible persons at the bottom of this? Where are the men, and who are the men, upon whom the guilt of this terrible condition of things in the church with which we are connected is to be visited? Here are the facts. to the responsibility?

Presbytery looked at the facts in the case. It looked back from the facts of division at the time that Presbytery met in October, and tried to trace those facts to their proper cause. Here were effects. Something had produced them. With what were those facts to be linked? What was the connection? Following it up the members of Presbytery came through the Elders' Convention which had its place, on back to that East End Meeting, and to that especially as in viola-

tion of the law, or in contempt of the authority of the decision

of last Synod.

Now we have the law on this point, and I desire to read it to you. Let me take the Confession of Faith, for I want to read from the fundamental law and show you that the action of Synod was based on this fundamental law. We open the Confession of Faith then at chapter 20, which treats of "Christian Liberty and Liberty of Conscience." There is a good deal of discussion here of true Christian liberty and true liberty of conscience that I commend to your attention. It is too long for me to take time to read it. I pass on through these discussions in sections first, second and third, until we come to section IV., which I will read entire: "And because the powers which God hath ordained, and the liberty which Christ hath purchased, are not intended by God to destroy, but mutually uphold and preserve one another; they who, upon pretence of Christian liberty, shall oppose any lawful power, or the lawful exercise of it. whether it be civil or ecclesiastical, resist the ordinance of God. And for their publishing of such opinions, or maintaining of such practices, as are contrary to the light of nature, or to the known principles of Christianity, whether concerning faith, worship or conversation; or to the power of Godliness; or such erroneous opinions or practices, as either in their own nature, or in the manner of publishing or maintaining them, are destructive to the external peace and order which Christ hath established in the church; they may be lawfully called to account, and proceeded against by the censures of the church, and by the power of the civil magistrate."

Mr. Moderator, that is our fundamental law, founded upon the law of God Do you ask where we have the foundation for it? Well I might read passage after passage. I need not open my Bible to the passages I have marked, as we have them here. Hebrews, 13th chapter and 17th verse: "Obey them that have the rule over you, and submit yourselves; for they watch for your souls, as they that must give account, that they may do it with joy and not with grief; for that is

unprofitable for you."

Another passage, which I do not see in this long list of proof passages, is a very important one; and I therefore turn in the Bible to Romans, 16th chapter, 17th verse: "Now I beseech you, brethren, mark them which cause divisions and offences contrary to the doctrine which ye have learned; and

avoid them."

Here we have Divine law, God's own law, requiring obedience in the ford to the authority of the Courts of God's house. Here we have this command, "Mark those who cause divisions." Here we have our fundamental law, founded upon Scripture; that is, our subordinate standard; for, of course,

God's own Word is the ultimate law; but we have this which we recognize, too, as our fundamental law as well, in a subordina'e sense, and this tells us explicitly, that wherever, under this pretence Christian liberty, there may be the publishing of opinions,-notice, it says, "the publishing of opinions,"—of such erroneous opinions or practices, as either in their own nature, or in the manner of publishing or maintaining them, are destructive to the external peace and order which Christ has established in the church, they may be lawfully called to account and proceeded against by the censures of the church.

Following out this law, the Pittsburgh Presbytery called to account the men under its jurisdiction whom it knew to be in connection with the East End Meeting and the East End Platform, which Meeting and which Platform they believed, as they reasoned the matter, in prayer and in careful consideration of the facts, to be the cause of the effects which were so lamentable, and on every hand to be noticed, of divisions within the congregations under the care of Pittsburgh Presbyterv.

Two names only were mentioned, because two names only had come prominently before the public. But as the matter was being considered in that meeting of Presbytery, the seven men all came out, and came out so frankly and so squarely or that Platform that Presbytery felt that the entire seven must

be dealt with.

Presbytery felt that in their attempting their explanation as to their connection with the East End Meeting and the East End Platform they had put themselves on this very ground, and made themselves liable to the censures of the church; because they had been sending abroad these erroneous opinions which were hurtful to the peace and order of the church of the Lord Jesus Christ.

There is the "sin and scandal;" for that is what our Book calls such. Do not be misled by saying that those expressions mean gross immorality. They do not necessarily mean anything of the kind. They mean sin and scandal in the sense of our Book of Discipline, such as church courts are to take hold of, and are bound to arrest. They must put a stop to them for the sake of the peace and welfare of the church,

for which these courts are responsible.

I must now show you just wherein there was this disturbance of the peace and order of the church. I do not, however, propose to raise this question here in a kind of general statement. I refer to the doctrine and order of the church as to political dissent and non-incorporation. I intimated a little while ago (or maybe a good while ago now), that there were many things in that Platform which might be noticed. There are a number of things which it might have been well, perhaps, if the Judicial Committee had taken note of in the

first place, or the Presbytery, in acting upon the report of the Judicial Committee. But the Judicial Committee thought it was best to confine attention to one thing, and make the issue specific, and Presbytery approved of that by adopting the recommendation of the Judicial Committee. The matter that was thus selected was the matter of political dissent and non-

incorporation.

I feel, my dear Fathers and Brethren, as if I might almost be offering an insult to you in bringing before you to-day the evidence as to what the position of the Reformed Presbyterian church is on this point. It certainly does not mean that a man should stand before you here to-day and cite the doctrine and give the testimony; that he should go back and call up document after document in order to lay before you what you know so well. I must, however, just bring a few things before you, and I make a selection.

Here is a volume which contains any amount of old material, dating back to 1833, and away back of 1833. I select

one passage from this for a certain reason.

A MEMBER: Name the work. Dr. McALLISTER: It is a sermon preached by James Milligan, pastor of the Reformed Presbyterian church at Ryegate. Vt., entitled, "The Prospects of True Christians in a Sinful World," published at Haverhill, New Hampshire, in the year I select this because of the author; and I select it also, because of the date, antedating 1833. I select it again, because it treats upon what might be called, not a political subject, but an eminently spiritual one. It is a sermon on an eminently gospel theme, - "The Prospects of True Christians in a Sinful World." And yet this author takes occasion at that time to give us a paragraph all bearing upon the subject of political dissent and non-incorporation of the Reformed Presbyterian church. I only read a sentence or two of the paragraph: "Can we break our yows and engagements to be the Lord's and to oppose every thing immoral, and be innocent in following the multitude to do evil? It may be said, by joining in the Confederacy I shall help to reform those things. If this be a good argument, why not act on it in all cases? Why not associate with drunkards and bawds in order to reform them? Why not join the papists, pagans and Turks in order to reform them?" The argument proves too much and therefore nothing. But how uncandid to swear to support a system in order to overthrow it? It is inconsistent with a plain Bible principle,—we must not do evil that good may come. Of such the damnation is just. This subject is certainly worthy of consideration and candid discussion, and it is fondly hoped, when the subject of Masonic oaths has undergone such a thorough and severe investigation by the American community, that the subject of political oaths will not always be overlooked. It is certain that or every Morgan murder that Masonic oaths have occasioned, political oaths have murdered thousands, if they are all numbered that immoral principles, ingrossed in political constitutions, crush and put to death because they wish to be free. Why do the churches slumber over such matters? Sho. Id not the followers of Christ take the lead in the reformation of the world? At any rate, let those, who have taken a stand on these principles, hold fast their attainments and not be conformed to this world, but be transformed by the renewing of their minds and hold to the rule of their former attainments."

Rev. J. S. T. MILLIGAN: Amen.

Dr. McALLISTER: I am very glad to hear that there is some echo of the sentiments of the father. Now, what does that mean? I wish to take that up a little more fully presently, but what is meant in regard to political ouths and holding to past attainments? Why, the attainment to which there was to be this holding fast was, the attainment of political dissent and non-incorporation; not only by Dr. Milligan, but by the church with which he was connected; not only by individual members, but by the collective body. The collective body was to hold fast to this position of political dissent against the Godless and Christless constitution of the American government, and to refuse to incorporate in the political society that would administer the government under that constitution. That is one testimony. I need not, as I said, go on. I could quote here by the hor, from Dr. J. R. Willson, going back to 1529, and away back of that, sermon after sermon. I shall, however, appeal to the Testimony of our church for a very special reason. But before I come to that I must touch upon one matter that will only take me a moment.

We have had some very remarkable advocacy of what has been said to be the position of the church. Here is the action of the church taken in the year 1812 on Civil Relations: "That believing it to be the duty of nations formally to recognize the sovereignty of the Messiah over all persons and things, and to construct their system of government upon principles which publicly recognize the authority of that divine revelation which is contained in the Scriptures as the supreme law, their disapprobation of the presently existing constitution is with them a matter of conscience and wholly founded upon the omission of their duty." The meaning of this is, that this was a matter of conscience with the whole church,-not only with individual members, but with the whole church. Yet we have an interpreter of the early legislation of our church and of her Testimony who puts himself here before you and tells you that this means that it is to be with them a matter of conscience, in the sense that it is to be left to their individual conscience, whether they will do it or not. A matter of conscience in the sense that it is to be left

to the individual conseience! Oh, the unutterable shallowness of such an attempt at an interpretation of the legislation of the Reformed Presbyterian church! Matter of conscience! Yes. That is, they would conscientiously take this position of dissent. A matter of conscience! Yes. That they would conscientiously dissent from an immoral constitution! It is a matter of conscience, not to be left to the conscience of the individual to see whether he would do it or not; but the church would conscientiously take the position of non-incorporation, and require her members to take that position; that is, it would be made the law of the Reformed Presbyterian church.

(At this point, the hour of adjournment having arrived, the Court adjourned until to-morrow morning at 9 o'clock.)

MORNING SESSION.

SATURDAY, JUNE 6, 1891.

The MODERATOR: At the adjournment yesterday evening, Dr. McAllister, who was speaking in behalf of Pittsburgh Presbytery, had the floor. Dr. McAllister will con-

tinue to address the Court.

Dr. McALLISTER: Mr. Moderator, Fathers and Brethren: I had taken up the second point; that is, the appeal from the verdict of the Pittsburgh Presbytery finding the appellants guilty of pursuing divisive courses. I had shown in regard to this that the verdict was founded on a specific charge of pursuing a divisive course. I stated that there was no accusation against the moral character of the appellants. Presbytery did not even impute intentions or interpret motives. I had shown you that the fact of the unhappy division of the church was before Presbytery, and that Presbytery had to face this fact. It endeavored to do so, and trace it to its just cause. This brought me up to the question as to what the doctrine of the Reformed Presbyterian church is, as well as her practice, on the subject of political dissent and non-incorporation. and an investigation as to whether it was opposition to the established principles and practices of the church that had caused this unhappy division, so that we might learn just who the responsible parties were for the division, of which there could be no doubt.

At this point I take up the argument. And here it is remarkable that we have the concession made by the appellants as to the truth of the position of political dissent and non-incorporation. They maintain as strongly as Pittsburgh Presbytery does, that it is a sin for any Christian man to become identified with the United States government, because of its Godless and Christless character. And they still hold to this position with all firmness. This should be borne in

mind.

There are, it is true, certain considerations that will come

up in connection with this that may seem somewhat difficult to explain; but this is a fact which we do not for one moment dispute,—that the appellants hold as firmly as do the members of Pittsburgh Presbytery that this is a Scriptural duty,—the duty of political dissent from a Godless and Christless constitution of government, and the duty of refusing to incorporate with the political society which administers the government under that compact or constitution. Now I pass on to what the points of difference are.

There are two points which are denied by the appellants: First. That the church (and the term church is used in the broad sense) has any right to require political dissent and non-incorporation on the part of her members. This is the position. It is admitted that the position itself is Scriptural and right, but it is maintained that the church should not make that position, conceded to be right and Scriptural, a term of communion; that it should not require that as a con-

dition of membership in the church.

ion in the church. Now mark that.

And this contention holds in regard to any part of the church. It means that that should not be done in the Covenanter church to-day. The Platform of principles adopted at the East End Meeting means that it should not only not be done in the Covenanter church, but that it should not be done in the church in any case. And if the schism in the church should be healed; if the entire membership of the followers of Christ should be brought together in one body, in that one united church, with sectarianism and schism for ever done away with, it would not be right or Scriptural to make this concededly right and Scriptural position a term of commun-

Second. It is also denied that the Covenanter church has. as a matter of fact, made this a term of communion. Let me not be misunderstood. It is not denied that, as a matter of practice, this has been done; but it is denied, as a matter of fact, that there is any right or ground in the Testimony of the church so to do. If I can understand anything, I understand their position to be this: That, taking the standards of the church, there is no ground in the standards of the Covenanter church for this position; that according to the standards, it must be left as a matter without any explanation which would bind any one to the position of political dissent. must be left to individuals to decide as they see fit. what is maintained in reference to the Covenanter church. Now these two points being brought before us, we get the fog and mist somewhat cleared away, and we are ready to consider the argument as it bears upon these questions.

On the other hand, the Pittsburgh Presbytery maintains the contrary on both of these points. That is, Pittsburgh Presbytery maintains (and I speak now on behalf of myself and on behalf of brethren in that Presbytery whose views I know well; and, I think, it is the position of the church, and in so far as occasion may require it, I can go to our Testimony, to our standards, and to our Covenant, and show that this is the position of the church) that the church—the church irrespective of the name—is under obligation to make this conceded right and Scriptural position of political dissent and non-incorporation a term of communion; and that, if the church became one throughout the world, it would be the duty of the united church to hold to that position of political dissent and non-incorporation as a term of communion, and if she would not hold to that position, she would be coming short of what her Head and King requires of her.

This is my position with regard to the unity of the church and political dissent and non-incorporation. And let me say just here, dear Fathers and Brethren, that I would never regard for one moment the problem of church unity as beir g solved, if there were not in the great body of Christ's people gathered in one, the distinct understanding that the law of God's Word would be applied everywhere; and taking that Word and applying it, we would be bound in that one united church to do just what we are bound to do in the Covenanter church to-day. We would be bound in that church to take this very position of political dissent and non-incorporation from a Godless and Christless constitution of government. I wish my position on church union and political dissent to be understood. It is a matter of right to me that it should be understood, and that is the simple statement of it.

Pittsburgh Presbytery maintains again that what would be right, and the duty of the entire church, if the were one, is the duty of the Covenanter church to-day, and that the Covenanter church has been trying to carry out her duty; that she has held to this position, and that she does hold to it; that it has been her historic position, and it is her position at the present day. So you see, the lines are sharply drawn between those that adopted the East End Platform and approve of it, and the Pittsburgh Presbytery, and, as we believe, the entire church, of which that Presbytery is one of the inferior judicatories.

Now let me advance to the next point, viz., the proof as to the duty of the church to make political dissent and non-incorporation a term of communion. For here we must return to the discussion of the great principles of the subject to a certain extent. What is the proof? Well, the proof is found in the lines of the church's conduct on moral questions in all the history of the past. If you go back to the early days of our fathers in Scotland, you find that they stood on that ground. The circumstances were somewhat different, and the great mistake of many is that they will bring the exact language and the exact things that were protested against,

like the military oath in Great Britain, and transfer them to

this land and our own circumstances to-day.

That is just about what I would expect of what is called Steeliteism. That is just the view the Covenanter church has always had to contend with.—the view that would put what is called Steeliteism in the place of genuine Covenanterism. Genuine Covenanterism takes the principles that are immutable, that are applicable in all lands, and that are adapted to the circumstances of every country. It applied these principles in the history of the Scottish church: it has applied these principles in the history of the church in this land from the earliest days until now; and it has applied them just as moral questions have come up. And I believe it has applied

these principles correctly in every instance.

Take, for example, the question of slavery. Where there was this great evil or immorality, the principles applied, said, "Come ye out: be ye separate." This was the duty of the church. The Covenanter church tried to perform its duty. Some other churches did not. And to-day there is a measure of reproach upon them for the reason that they left voluntary societies, like the American Anti-Slavery Society, to come in and perform the great duty that the churches ought to have performed. They permitted William Lloyd Garrison and Wendell Phillips to stand on the position of political dissent, saying. "We will not have part with the government because of this iniquity of slavery. And these men refused to vote. Whereas the church in her branches generally permitted slave-holding members to sit down at the Lord's table, and did not make this matter of slavery a term of communion in the church. We should be very thankful to our God and to our Covenanter ancestors that the light was made like that of the noon-day sun to us, so that from the very earliest times our church took the position that we must maintain nonincorporation on this matter, and that our principles and terms of communion included separation from the iniquity of American slavery.

So I might go on with other illustrations; but I do not think it necessary to amplify this to any great extent. Let me, however, briefly take up the matter of secret societies. Here, again, in the matter of these secret societies, is another thing to condemn. I read that passage from the Fifth of Ephesians yesterday. "Have no fellowship with the unfruitful works of darkness." That is the Saviour's command to all his followers, I do not care whether they bear the name of Covenanters, of Methodists, or of Episcopalians. That is the command of the Saviour to them all: "Have no fellowship with the unfruitful works of darkness." The Covenanter church has endeavored to carry out that command. The Covenanter church has done what ought to be done in the one united church, and what it should be insisted should be

done—obey the Saviour's command. She has said, "We will have no fellowship with these unfruitful works of darkness:" and she has made this a term of communion. Notice that again. She has said that her membership shall not be permitted to enter into these societies; it is not left as a matter of individual conscience, but it is made a matter of imperative obligation.

It is just so with regard to the political society,—the society that is under this compact of the Constitution of the United States. Our church has taken the same position here. She has made it a matter of imperative obligation. And why should she not? If it was right in that matter of slavery: if it is right in the matter of secret associations, why should not the same thing be carried out with regard to this society that is bound by the Godless and Christless compact of the Constitution of the United States, the written document which is the fundamental law of the nation, and to which alone the ultimate appeal can be made as to questions of right and wrong in the conduct of national affairs? Here again our church has maintained the same ground,—her historic position.—and she has taken it on the authority of the Divine Word.

Let me now ask you to read with me from Second Corinthians, the sixth chapter and 14th verse. I might multiply these passages, but I will only read one: "Be ve not unequally voked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness? And what concord hath Christ with Belial? Or what part hath he that believeth with an infidel? And what agreement hath the temple of God with idols? For ve are the temple of the living God: as God hath said, I will dwell in them, and walk in them; and I will be their God and they shall be my people. Wherefore come out from among them and be ve separate, saith the Lord, and touch not the unclean thing; and I will receive you, and will be a father unto you, and ye shall be my sons and daughters, saith the Lord Almighty." Now, that is the imperative command of the King and Head of the church. And notice, the command I read from Ephesians was a command to the Ephesian church: it was not a command to individuals simply to come out and have no fellowship and communion with the unfruitful works of darkness, but it was a command to the church as a church. This command is a command to the Corinthian church. It does not command simply individuals, so that the church is left at liberty to obey it or not, but it is a command to the entire church at Corinth; and the command that came to the church at Corinth comes to the Covenanter church of America to-day. We should have no fellowship with these works of unrighteousness. What concord or agreement are we to have with these? How can there

be this companionship?

On this principle, thus clearly enunciated in the Divine Word, the Covenanter church has taken her position, and has made it a matter of imperative obligation on the part of her membership, and thus has made it a term of communion in the church. Now it may be asked: Where is the proof of that? The proof is so ample that, as I said yesterday afternoon, it seems almost like an insult to the intelligent ministry and eldership of the Reformed Presbyterian church that I should ask you to go over the proof of that with me. I must, however, refer simply to two lines of proof. And I do not begin to develop this argument, as you all know it could be developed. It is not necessary that I should.

I quote from our authoritative Declaratory Testimony, chapter 30, page 240: "It is the duty of Christians—and you will notice that this is put in the broad way; that it means all Christians; it means the whole church—it is the duty of Christians, for the sake of peace and order, and in humble resignation to God's good providence, to conform to the common regulations of society in things lawful; but to profess allegiance to no constitution of government which is in hostility to the kingdom of Christ, the Head of the church and

the Prince of the kings of the earth."

We are not anti-government men. We believe in civil government, and we believe in obedience to civil government in all things that are in accordance with the Divine will.

That is where our Testimony put us long, long ago.

What I have read is our Testimony, based upon passages of Scripture; and I need not read the long list of passages. There are many of them here. The principle one which I have read is not quoted here. I do not know just why; but there are a great many others. The one I read, I think, is the clearest and strongest passage in the Divine Word bearing on

this subject.

The point is at once raised, and we have to meet the argument again and again, and there is no use attempting to cover it over, that this does not say United States Constitution, and therefore it is not a part of our constitutional and fundamental law, of our Declaratory Testimony, that we should require dissent from the written Constitution of the United States; that when that comes in, it comes in as an unauthorized explanation by some one in the church.

This is a remarkable confession. I have heard liberal brethren insist upon this as a term of communion in the explanation of the terms of communion times without number, in assisting at communions and having them assist me at communions. I have heard this thing over and over again. It is a strange thing that at this day we should have the statement made that that is not a correct interpretation of our

Testimony: that the Testimony is simply a broad declaration in principle without any application of it: that it lays down certain theories, or exact truths, or certain authorities, but it does not require the practical application of these authorities.

What are the facts? I will ask your attention while I refer to what we have in the historical part of our Testimony. All that is said in reference to the adaptation of our Testimony to every land, you are all familiar with, and I will not wait to read that. I wish to show as briefly as possible just what our fathers did mean, just what they intended to do, and just what they did. And that was this: They formulated a Testimony that would do in France to-day: they formulated a Testimony that serves our missionaries in Turkey to-day: they formulated a Testimony that, if we should have a mission in China, would serve our missionaries in China to-day; they formulated a Testimony that, if we had a mission in Africa, would serve our missionaries and our membership in Africa to-day. It means this: That in every land, wherever the church might find her membership, she would, by her proper courts, apply that Testimony.

She has applied that Testimony in America. She is applying it in the Turkish empire. Our missionaries in Turkey are taking this very Testimony. My dear friend, the Rev. Henry Easson, who was brought up under my own ministry, as I am very happy to say, our senior missionary at Latakia, whose noble work this church has yet fully to learn and appreciate, translated this Testimony into the Arabic language. They have this Testimony, and this Testimony in the Arabic language. It is the Testimony of the Covenanter church, where the converts are free from the paganism of their idolatrous service. And in the mountain regions north, in Asia Minor, in Mersine and Adana and Tarsus, this same Testimony is the Testimony of the Covenanter church. In Asia Minor and in Svria to-day it does not need any change.

But what does this mean? These faithful members of the Covenanter church take this Testimony, and they apply it. They apply it to the Turkish government. And if any of you should travel through mission lands, you would feel and understand the need of this as you do not understand it to-day. I want to give you a little bit of my own personal experience. It was my very great privilege to be among our United Presbyterian brethren of Egypt, and to enjoy very full and frank conversations with them as we looked into their mission work there with very great care. I have talked with Dr. Lansing, with Dr. Harvey, and with Dr. Watson, and with other leading men. What were the facts that came to us? Said these brethren to us: "Our greatest difficulty is this: we gather in young men (some of you have seen pictures of them, which I have been privileged to throw upon the canvas in the presence of some of you), intelligent young Egyptians in that country; Copts, some of them; I need not go on to particularize their races. These young men had been led by the grace of God out of the darkness of the false religions of that country into embracing the religion of Christ, and trained in the schools of the United Presbyterian church. When they come out they must find employment. Here is the trouble. They are educated young men, and there are few educated young men among the natives of Egypt, and the officers of the government seek out these young men. the most competent young men in Egypt, to fill government positions, and do government work; and the temptation is so very great, that the noblest young men converted to Christ from the native population of Egypt, are sometimes involved in complicity with the Godlessness and Christlessness of the Egyptian government under the Turkish empire. That government knows no sacred day of rest. The Christian Sabbath to the Turkish empire is just a day of work or pleasure. There is no distinction between that day and other days of the week. And thus these young men, converted from their false religion and brought to a profession of faith in Christ, are enslaved by going into a compact, which is not a written one, and does not need to be a written one, and it does not make any difference whether it is a written or not. They go into the compact and become parties to the compact, and help carry on the administration of the Egyptian government in direct violation of the law of Christ, in direct violation of the law of the Sabbath, and the law of him who is Lord of the Sabbath. The missionaries there, when they talk with you frankly, as they talked with me, said that was the greatest discouragement they had in their noble work. And what a noble work

Let us now come from Egypt up through northern Syria into Asia Minor. Again we meet the very same difficulty. The young men who are trained in our schools at Latakia and at Mersine, and at the many other schools, coming out, fitted mentally for important positions, are continually tempted to go into something where the law of the Sabbath.

is disregarded.

I insist that our church there is doing just what it ought to do. It takes the Testimony as we take it here, and applies it; and it says to every convert that comes into the Reformed Presbyterian church. "You are bound by the church law to take a position of political dissent." That is the application of the Testimony in that land. Our young converts do take it, every man of them; and it would do your heart good to talk with such a young man as that Ibrahim Razouk, who has been conducting the educational work at Gunnamia. I do not know a nobler young man in the church to-day in this country, or a more intelligent one. He is just as intelligent a Covenanter as there is living on the face of God's footstool

to..day. He knows Covenanter principles, and he applies them conscientiously, and though he would be gladly picked up by the Turkish government to do some work, because of his rare mental ability. because of his remarkable education,—for he is one of the finest Arabic scholars in northern Syria,—yet that man stands firm; and he does so not as a matter simply of individual conscience. but he does so as upon a term of communion in the Covenanter church in northern Syria.

What is done there ought to be done in Egypt; and our United Presbyterian brethren, if they want to solve the problem,—and I do stand here and affirm, and want it to go upon record, that in my judgment the United Presbyterian church will never solve the problem which she has on her hands in Egypt to-day until she takes the position of political dissent and demands of every convert that he shall not go into the Turkish government, but stand out and refuse to incorporate with it, because it is in violation, in its administration as well as in the understood compact, of the law of Christ and the law of his holy Word which is given for the conduct of the affairs of the nations of the earth.

Now I want to mention another thing in this connection. I said this would be the same thing if we were in France. It was our great pleasure to have with us here some two or three months ago a representative of the McAll mission work in the city of Paris. We had also with us a representative, Prof. Bertrand, of the more general work throughout France. He was to have laid the whole matter somewhat more fully before our people than Dr. Chamberlin did, who spoke on behalf of the McAll mission; but he was providentially called

away.

He was a military gentleman who has been brought up in the Army in France, who has that fine military bearing which characterizes many of the officers of the old world, and the courtly dignity and courtesy of a Christian Frenchman. Letme bear my testimony to the noble character of that gentleman.

He failed to meet with us here in the congregation according to his arrangements, but I had a number of interviews with him, and I brought this matter before him. I said, "How is it with regard to your Christians throughout France? Here is the difficulty: That you as French citizens find yourselves face to face with the question of the administration of the French government. Here, for example, is an election appointed to be held, and members are to be elected to the legislative body of the French nation, or whatever the officers may be. Here are persons to be chosen by the citizens to administer the government. The very first thing that you Christians have to meet, is this: that election is appointed to be held on the Lord's day. That is the understanding. It

is a part of the French constitution, as that has become inwrought into the very being of the French people as a nation, that they hold regular civil elections on the Lord's day. Now

how is it with you? How do you meet this?"

He shrugged his shoulders like a Frenchman, several times, and then he said, "Well, well, we just have to leave that to the individual conscience." I thought I was listening to some of the friends here in America. "But." said I, "now, is that right? "No, that is not right: that is not right. As for myself, I do not vote. As for myself, I cannot go to the polls on the Lord's day, because I would be disobeying Christ." "Now," I said, "if that is the right position, why should not you Christians in France insist that all should take it?"

If they would do that, that would be the Covenanter church of France. I care not what you would call it. If the entire membership of the church of Christ in France would take that position, that they would not go and take part in civil elections in France because they are held in violation of the law of the Sabbath, and in violation of the honor of the Lord of the Sabbath, call that church by what name you might, "La Societe Evangelique." or call it by any other name, it would be the Covenanter church, for it would be occupying the position of political dissent and non-incorporation.

And I insisted with this dear brother that he should go home and do all in his power to lead Christians of France, the free Protestant church of France, to take that position which he himself admitted would be the right position, and

the position in occordance with the Scriptures.

These illustrations which I have given from these different countries, find their full confirmation in the position of our own church. This is what we do in our Testimony. We do not need to mention the constitution of the United States there. And all this talk that has been going through the church about the necessity of sending down in overture an explicit statement, is far from the statesmanlike character of the fathers in the church that framed that Testimony—far from the broad, comprehensive philosophic views of these fathers who knew what they were doing, and who put down the principles, and then left it to the church in every generation to make the application according to its needs.

If we should secure amendments to the constitution of the United States in some very important respects, this principle would hold. If we should secure an amendment of the constitution of the State of Pennsylvania in all important respects, in so far as the State constitution is concerned, this Testimony would hold. And if all were secured in this country, it would hold in Syria until the same blessed reformation would be accomplished in Syria. It would hold in Great Britain until the reformation would be accomplished

there, and so on until it would be accomplished in every nation of the world.

That is the broad statesmanlike view of our forefathers in framing a Testimony adapted to all lands, leaving it to the church in every land to make the application; not outside of her constitutional powers, not as something extra-constitutional, but as something required by the constitution, something that would carry the constitution, and absolutely necessary to carry the constitution, into effect.

I advance just one point more before I leave this, and it is in reference to the Covenant of 1871. It has been a remarkable providence that we come here in this very building where we have all the memorials of that solemn act of twenty years ago around us. You see on the walls references to the fact, that twenty years ago we here stood before God, and swore with uplifted hands that we would be faithful to his church, and to this position—this Covenant position—of our fathers in other lands as well as of our fathers in this land.

And very appropriately, we have here the inscription, "For Christ's Crown and Covenant," with a number of practical issues that are included in that, as: "The Sabbath," "National Reform" in all its departments, which means the application of the law of Christ to every moral question—the marriage question, the education question; it does not matter what moral question it may be,-that comes up in national life. This is what we have agreed to do. In Covenant we have agreed that we will apply the law of Christ to all these questions, and settle them accordingly.

Now I come to this dispute with regard to the Covenant being strictly a term of communion. Why, if there ever was a term of communion in the Covenanter church, it is that

I want to give you just a few references which I have noted here. You can go back to the appointment of the Committee on Covenanting, which I have here, but do not take time to read; the draft reported; the draft adopted, as I have the references, and any of you can have this volume and look them up for yourselves, for they are all given with the pages: the Covenant overtured; the committee to remove difficulties, -for there were difficulties in the way of the Covenant:—the vote on the overture; and so we pass on step by step. And I may just say with regard to this overture that every Presbytery in the Covenanter church in America reported a vote in favor of the Covenant.

That Covenant went down to the sessions and was voted on by sessions, and the Presbyteries reported the votes of all the sessions under their care, and the full report came before this Synod in the year 1871, and the report was that it had been voted affirmatively in every Presbytery, as it had been sent down in overture, and by a very large proportion of the congregations. I think it was something like five sixths of

the congregations.

There were sessions that did not give their vote in the affirmative, but it was the vote of the Reformed Presbyterian church with a degree of unanimity such as seldom characterizes any great measure. When it was reported as being adopted in overture, Synod proceeded here with uplifted hand to swear that Covenant.

I want now in this connection to give my reason for opposing this latest proposition for a basis of agreement, after the first attempt was made (The reference is to the basis offered

in Synod by the Rev. Dr. T. P. Stevenson.)

The first attempt was made to secure a basis of agreement which would either be signed, or, which is the same thing, which would have the oral approval of the men who were interested. So we went on, step by step, until my dear brother from Philadelphia—with whom it has been one of the greatest pleasures of my life to be associated in public work, now for the full period of our ministerial life, coming out just about at the same time, having been at the Seminary together, and in many respects, like David and Jonathan, bound together with ties of rare strength—made this proposition. At first I thought I could approve it. I was so anxious to have something like that carried into effect. But at length the conviction was forced upon me by such remarks as Professor Willson made, that it would never do for one moment.

That brought to my mind another fact: we have a bond: we have a basis of agreement. It has not only been agreed to, it has not only been signed, but it has been sworn. It is an

agreement to which God is a party.

Our enterprising brother from New York wished to have that basis, submitted by Dr. Stevenson, whom we all respect and admire, printed. It was put in the hands of this brother

to be printed.

Here is this other bond, this previous bond, already printed; and I want to put it in the hands of the reporters—these gentlemen who are doing something that will go down in history. Let me distribute this among you, gentlemen, that you may do what is due to yourselves, and what is due to the papers whose good name you represent, that there shall not be any misrepresentation, but a fair impartial record of all the facts in this case, worthy of an occasion like this, and worthy of a free press and a free country.

(At this point Dr. McAllister handed to the representatives of the press a printed copy of the Covenant referred to, with

a request that they publish the same.)

I have here other copies, if any of the brethren wish them. I need not ask the members of our own church to look at this document. Turn to page 5, and I will read the third section. I need not read, but I will ask the reporters to give it. If

they want to do full justice in this matter, let them give that third section from the beginning, which shows how we take ourselves sacredly bound to do everything that citizens ought to do out of the purest patriotism, to shirk no burden, no responsibility; in our civil relations to do everything that a Christian man can consistently do out of love to his country, and loyalty to his Lord and Master at the same time.

That, Brethren, has been our position, and is our position to-day. And let it be known that we take this position of political dissent simply because we love our land and love our fellow citizens, and in order to lift our country up out of this pit of degradation into which it has been so rapidly

falling through its Godlessness and Christlessness.

Then, after we have this preface and protest, we add this: "We will pray and labor for the peace and welfare of our country, and for its reformation by a constitutional recognition of God as the source of all power, of Jesus Christ as the Ruler of Nations, of the Holy Scriptures as the Supreme rule, and of the true Christian religion; and we will continue to refuse to incorporate by any act with the political body until this blessed reformation has been secured."

A MEMBER: Amen.

Dr. McALLISTER: That is our Covenant, and that is what we mean to stand by. The member says, "Amen." Does he mean it for himself, or does he mean it for the whole church?

The MEMBER: For the whole church.

Dr. McALLISTER: Then, if that is so, you are a Covenanter, and you can't leave the body, whatever differences there may be between you and me as to the application of that principle; standing upon that principle, with this Covenant, unless the church compels you to do something that your conscience will not permit you to do. Now, if you say that the church so compels you, then I say that your duty is simple. If you are constrained against your conscience to do

some positive act, then you may go out.

I wish just in this connection to show you how there have been misinterpretations. It has been said that the act of the Synod of 1889, compels men to take a position contrary to their conscience. It does nothing of the kind. It says to any man who does not want to vote on a constitutional amendment, "You need not vote; you are not put under any obligation to vote;" but it says to men who believe it to be their duty to vote on such occasions, "You may vote." It leaves my conscience free to vote, and it does not bind the conscience of any member to give a vote, if he thinks he should not vote. That is exactly the solution of these questions of obligation;—that there shall be nothing that shall constrain the conscience of any man, but that we hold the principle that the entire body, not the individuals as individuals, but the church as a church, binds herself by this Covenant to main-

tain this position of political dissent and non-incorporation until the blessed reformation be effected.

In this connection I must draw some distinctions. My Friends, I think we are now in the discussion of the greatest question that we have had to deal with since 1833. There are certain topics on which this has a most important bearing, and for that reason I wish to bring out some of these points. I think they have a most direct bearing upon the subject as to whether this duty of political dissent is binding upon the church.

There has been a great deal of fog and mist thrown around the question of analogy between the National Reform Association and the Covenanter church on this score. Let me try to clear that up, as I am sure it can be cleared up, whether I

am competent to do it or not.

This is the distinction: The National Reform Association is a purely voluntary association. It draws its membership from many churches. It does not ask any one of its members to go contrary to the stipulations and regulations and covenant engagements of his own church. It takes in such a man as the Hon. Felix R. Brunot, of the Protestant Episcopal church, its venerable president; it takes in such a man as John Alexander, of the United Presbyterian church, its foremost and most honored vice-president: it takes in such men as are found scattered throughout the east and the west, the Rev. Dr. Milton S. Terry, of the Methodist Episcopal church; such a man as Judge Hagans, of Cincinnati, Ohio, a member also of the Methodist Episcopal church; such a man as the Hon. William Strong, a member of the Presbyterian church, and formerly one of the justices of the supreme court of the United States.

But I need not go on and enumerate the members of this association. It takes in this wife range, and it does so simply as an association with a specific end. It does not take up other moral questions directly. They may come up somewhat incidentally, but it lays down a constitution to which all these men agree, and thus this association goes forward. It is not under obligations to take up all truth and apply all truth, but to take the truth that bears upon the specific end which it has in view. Now I will admit that this is done simply because the church fails in her duty, and because the state fails in its duty. If God's ordinances, the state and the church, these societies of divine ordainment, did their whole duty, there would not be anything left for the National Reform Association to do, nor any of these other organizations of the same kind. But the state is not doing its full duty. The state is not fully applying the divine law. The church is not doing her whole duty. Different branches of the church are failing in part to do what ought to be done. have one confirmation of this from the exercises of our Quarter Centennial. A representative of the Presbyterian church, Dr. I. N. Hays, and another speaker, a member of the United Presbyterian church, Dr. W. J. Robinson, gave us addresses from this platform only a little over a week ago. Both of these men admitted that the churches generally are not doing their whole duty, and that the Covenanter church has been and is attempting to do her duty in applying the law of God

to public moral questions.

Now these men come together in great numbers and form the National Reform Association. Dr. I. N. Hays is one of its most efficient members on the executive committee; and these men can take that position, and we all can take it because that association, as an association which men have framed, is not required to apply all God's truth. It can leave out such truths as do not bear upon the special end in view, and not be unfaithful to its trust. But the church is of God's own ordaining. The church cannot leave any truth at one side; the church cannot ignore a single principle of God's Word without being unfaithful to her trust and to her duty; and if this duty of political dissent and non-incorporation be a Scriptural duty, as is conceded, the church is bound to put it into her Testimony and apply it, and if she fails to make the application of it, she is failing in her trust.

She must make the same application in every case of Sabbath descerating associations, I don't care what they are called. In regard to railway companies that are dishonoring the Sabbath, she must say to her members, "You must not go into them." In regard to secret societies, she must say to her members. "You cannot enter into these." because she cannot ignore any truth. She cannot enter into any covenant that will compromise any truth; she must take the truth and faithfully apply it; and so she says in every case of this kind to her membership, "It is a term of communion that you shall not violate the law of the church's Head and King in these

matters."

I will admit that there are certain things of imperfect obligation, where the discipline of the church cannot be applied. I am not going into a discussion here to-day of the lines within which the authority of the church must be maintained; it is enough to say that this matter of political dissent and non-incorporation is a matter of such moment that it must come within the lines, and the church's discipline should be there applied.

If we won't permit a member of our church to hold stock in a Sabbath desecrating railway corporation, how can we permit him to be a responsible member of a government that enters into a compact to distribute the mail on that day all over the country, as it does? That is a compact that so ignores God's law, that a law has been enacted, a constitutional law, that a post master may be required to handle the

mail in the office, and as a matter of fact, the mail is handled all over the country on the Lord's day. Now that is a distinction between these two associations: One is a man-made association which can limit its ends and make special applications of certain truths: the other is God's ordained society which cannot compromise any truth, but must apply all

truths in its own sphere.

However, in connection with the church there is another point to be noticed here, and we have had a remarkable illustration of it since this Synod came together; and I am very glad it was brought out in this way that we might have the practical illustration. The members of Synod were not all present, but enough were present to show us how this principle applies. Last night the members of this Synod stood upon their feet and pledged themselves personally, not to take part in any way in the Columbian Exposition, if it were kept open, or any part of it, on the Lord's day. Now This obligation was taken personally, which was the right way to do it. This Columbian Exposition is a matter which has just come up. It is not one of those things to which we could apply the discipline of the church unless there be, as some members said, a looking into this matter beforehand. For my own part, I do feel that it would be perfectly right if we should have said, as a matter of discipline, that anybody that would go to that Exposition would be dealt with. I believe that we have just come to that point when the church should say to its members, when there is this kind of violation, you should not go. And yet I am not going to insist upon that. I am not sure, if I thought the matter all carefully through, as I confess I have not, in this one particular aspect of it, that I might not be brought to the conclusion that it would not be such a violation on Monday, Tuesday, Wednesday. Thursday or Friday, to attend that place, as should be dealt with. If church members went on Sabbath, of course they would be dealt with. But if they went only on Monday, or Tuesday, or Wednesday, then it might be such a kind of support given that the church would not deal with them.

We practically admitted last night that we were not ready to deal with this as a church: so we said, "Let it be a matter of personal agreement." The whole Synod rose to their feet and said, "We personally pledge ourselves that we will not go; that we will not give countenance; that we will not exhibit anything. if this Exposition is open on the Sabbath." And I know that there are some that are very anxious to exhibit there; I know there are some who have products of their own genius that they would very gladly bring before this country, and reap the benefit in the wider knowledge of improved articles of industry; and I know that these same persons stood up and said, "We will not send machinery

there; we will not exhibit machinery there, if any part of

that Exposition is open on the Lord's day."

Now that is a distinction which, think it is important for us to bear in mind. Our Covenant does not bind us as a term of communion to all these other matters, but it does so bind us to this position of political dissent and non-incorporation with the government of this country, because of its Godless and Christless compact of civil government that puts the will of the people, this changing, fickle will of the people, this people of America, with its utter want of homogeneity, where every man who can get for a little bit of money (oftentimes it is done by trickery and fraud) the sacred privilege of the elective franchise, can go and cast that little bit of paper in the ballot box, and help determine the affairs of this great nation, on the principle that this assertion of the human will is put in the place of God Almighty, the Supreme Authority, who is King of kings and Lord of lords. That is the position we hold to as a term of communion of imperative obligation in the Reformed Presbyterian church.

I maintain, in the next place, that the East End Meeting and Platform have assailed this position of the church. This is the position which the East End Meeting and Platform have assailed, and therefore here rests the responsibility for the division which we have in our church on this very point to-day. My dear Brethren, if you had been present at the Pittsburgh Presbytery when these petitions were read from the congregations, you would have had no sadder experience than to hear elders and members pleading that Presbytery should not go forward and sentence these ministers, or pleading, after the sentence had been inflicted, that the sentence should be removed. On what grounds? Not only on the grounds of sympathy and tender feeling for these dear brethren, for there was a tender chord that would be touched in every heart, but pleading the very position which is antagonistic to the life of the Reformed Presbyterian church; pleading the very position that assails this historic fundamental doctrine of political dissent and non-incorporation.

But here, alas! is what appears before us to-day. I recollect hearing my father say concerning the Arian controversy in Ireland during his early boyhood days, and I recollect hearing others say, that the trouble was not so much what certain ministers did say in the Presbyterian church, but what ministers failed to say. They did teach a great deal of truth, but they did not teach the divinity of Christ. They did bring out important parts of the Gospel, but they failed to bring out the all-important truths; and the consequence was that the evil sprang up that caused such a dissension. That was the pursuing of a divisive course in our sister

church, in the north of Ireland.

The evidence appeared before Presbytery in the petitions

and in the arguments that were made in the enforcement of them by those who came as members of congregations; and I am ready to charge here to-day, that while testimony was given that certain pastors did not assail the principles of the church in their pulpits, they did so leave out the Reformed Presbyterian—

Rev. D. S. FARIS: Presbyterian church?

Dr. McALLISTER: They had omitted to carry out the application of this Covenant, which says in solemn engagement, "We will pray and labor," we will bear this testimony; and that testimony was not borne. And I can appeal to the membership of the congregations that this testimony that ought to resound from every pulpit, had not resounded from their pulpits, and there has not been fidelity in the maintenance of these principles of our Covenant and of God's Word, to which we have solemnly bound ourselves.

Rev. J. S. T. MILLIGAN: Will you furnish the proof of

this that was before the Presbytery?

Dr. McALLISTER: The Presbytery itself will give the proof. I am perfectly willing to have members of Presbytery come, and have them qualified, and let them state what they heard. I will mention the name of one who spoke, Mr. Martin Prenter, an elder in the Allegheny congregation. I shall be very glad to have members of the Pittsburgh Presbytery brought before this Court.

Rev. J. S. T. MILLIGAN: I submit there is nothing in evidence, and the speaker must be confined to that. There is a great deal of this, I think, is granted; but the question is,

does it apply to a trial like this without evidence?

Mr. D. TÖRRENS: I would like to learn what evidence there is of a statement made just now, and that is referred to by Mr. Milligan, that while the memorials all stated the fact that the seven ministers suspended had not assailed the principles of the church in their pulpits, yet the speaker says that it was not what they said but what they failed to say. On that point I would like to know if there is any testimony as to their omitting saying what they should have said.

Prof. D. B. WILLSON: Is not the speaker allowed to go

forward, and does not a time come to ask questions?

Rev. J. S. T. MILLIGAN: I raise the point of order that he has no right to go forward and plead on that that has not been presented here on the record as testimony in this case.

Dr. McALLISTER: Let me claim the right. Yet I am perfectly willing to drop the matter. I do not wish to come in conflict with Brother Milligan on any such point. If there is any point such as this that he feels is in any way a grievance, I am ready to drop it at once.

Rev. J. S. T. MILLIGAN: That is all I want.

Rev. O. B. MILLIGAN: I refuse to allow him to drop it. I object, because we will have some testimony on that.

Dr. Mcallister: I pass on to the next point. I wish here to refer to the honorable conduct of those who have withdrawn from the Reformed Presbyterian church when there have been difficulties. I wish to bear my testimony to the honorable character of friends of my own. and I will give the names, for everything I do with the utmost frankness. I wish to bear the highest testimony to Rev. Dr. David Gregg, Rev. J. H. Boggs, of Philadelphia, and Dr. David G. Wylie, pastor of the Scotch church of the city of New York. I might go on and mention a great many names.

Let me now show you just how important this. I do this with the greater freedom as these are all personal friends of my own. I had occasion to remonstrate with them personally, as I did with Dr. Wylie before he withdrew from our church at all, against his taking this step, feeling that he should remain; as I did with the Rev. J. H. Boggs, making it a point to write to him from the city of Boston that I would be at his house at a certain time to confer with him on the subject, going from Boston to Brooklyn to see him, and spending a long time with him in conference on this point. I have also remonstrated with my friend Dr. David Gregg.

I shall bear testimony to the honorable character of these men in this: They changed their convictions with regard to our church; they never disputed for one moment what our position was. No, they admitted the position of the Covenanter church. And this is what any church will tell you if you ask to-day what the position of the Covenanter church is. You do not need to go to church people to ask it. Ask anybody throughout the country, what the position of the Covenanter church is, and he will tell you right away that

her members do not vote.

These brethren do not dispute this for a moment. They said, however, "Our conviction is changed " Dr. Gregg said to me that he felt he would have to withdraw from the church, and his reason for withdrawing was this change. believe he does take part in political matters. He was one of the committee in the city of Boston that has done such noble work, according to their conviction of what is true and right, in opposing the attack of Romanism on the public schools of that city. And I believe he has taken part politically. however that may be, I am not giving what I understand to be the exact facts excepting on this point: he changed his conviction as to what was his duty and right, and he said with that view, it became his duty to leave the Reformed Presbyterian church and go into another body where he would not be out of harmony with the brethren, where he would not open himself to any accusation of breach of covenant. And he went accordingly. The same thing is true of the Rev. J. H. Boggs. The same thing is true of the Rev. Dr. David G. Wylie. And all these men are laboring to-day in Christ, with their own convictions, outside of the Reformed Presbyterian church, and I wish to give them all honor.

Now when a man says that this position of the church is not a Scriptural position, 1 do not see how he can consistently remain in it. It is for that man to do as these other brethren have done; to withdraw, and not make any disturbance, not make any assault upon the principles and order of the church.

But what is to me beyond comprehension is the course of those who remain in the church; who say that the position of the church is Scriptural; who say that this position of political dissent and non-incorporation is the very position that all God's people should take; and who yet remain in the church, and put themselves on the ground that that Scriptural and truthful position should not be enforced by the discipline of the church; that it is a mere matter of explanation, and that it should be left to the individual conscience of the members of the church. That is something that I cannot understand.

I proceed upon that point to affirm that the attempt of these liberals, and I refer to those who are on trial now, of course, especially, is to remain in the church and revolutionize her.

Rev. J. S. T. MILLIGAN: Reform her.

Dr. McALLISTER: "Reform her!" And I suppose this would be the position of my dear brother here, which he avows, to remain in the church and "reform her," to make her different from what she is. There is an orderly way in which any change of that kind can be attempted. I do not deny the right of any member of this church to attempt to "reform" the Covenanter church, so that we should have the designation, "The Re-reformed Covenanter church," or whatever name we may give to it. I would not deny the right

of any one to make that attempt.

But how is that attempt to be made, pray? We have a committee appointed to bring in an order, so that it may be adopted for the government of our church. As to what will be the way of submitting such an overture, we have not that written out; but although it has never been written out, it is in the constitutional law of the church; that is, in what may be called the common law which the church actually recognizes. And that is this: That it shall be overtured. We have had the principle confirmed and exemplified over and over again. The Covenant was brought in by overture. And if this revolutionizing, or reforming, or whatever the name may be of changing the Reformed Presbyterian church, is to be effected in due order, there must come before this Court a proposition to go down in overture, to say that political dissent shall not henceforth be a term of communion; to say that non-incorporation shall not henceforth be required; to say that our terms of communion shall not require this. So

that when you administer the Lord's supper, and have the explanation of the terms of communion, there shall be ro reference to this; so that no law shall hinder when men have been doing just as members of this congregation were doing. although I am sorry to say they have been doing it now because of what they have read in the papers, and what they have heard; for we have had people in this church of ours on Eighth street within a short time past suspended from membership, three of our members, for exercising the elective franchise. We were compelled to do it, because it is our These brethren, when they united with this covenant. church, knew that the church held to that covenant engagement; and when they violated that covenant engagement, it was for the session to deal with them accordingly, and it did. They were brought before the session, and they were convicted on their own confession, and they were suspended from membership in the Reformed Presbyterian church.

This proposed revolution, or reformation, is that members shall be permitted to do that; that is, that there shall be this participation in elections all through the American commonwealth; that those that do so shall sit down as they have not been permitted to sit down, at the Lord's table; that there shall be no accusation made in this matter authoritatively.

This, as I maintain, is the attempt that has been made. It is an attempt to change the church completely. It is an attempt, not in an orderly way, but an attempt by a meeting which was called in violation of the express enactment of Synod, based upon her fundamental law. The Platform is a remarkable composition. And here I wish to read that second plank: "That persons, who make a credible profession of Christ, should be received into church membership on their acceptance of our testimony and terms of communion, without binding them to our explanations in the matter of political dissent, or in other questions."

I submit to you that the explanations specially referred to there include this explanation so called; so that when you say that a member should not vote at civil elections, that is an explanation; and that explanation which would prohibit members of the Reformed Presbyterian church from voting for officers at civil elections must not be required in receiving members into the Reformed Presbyterian church; and not being required in receiving them, it cannot be required of those that are already in. That position, I maintain, is an assault upon the very life and integrity of the Covenanter church of America.

I wish to show in the next place the schism and sectarianism of the proposed change. There has been a great deal said about the unity of the church, and the importance of that part of our Covenant which bears upon the unity of the church. I hold to this part of our Covenant, and this part of

our Testimony, as I have held to it now for nearly a full quarter of a century, and as I think with a pretty clear grasp of the subject in my own mind, after so many years of study of it,—a grasp of the subject which satisfies my own mind that I have hold of what our fathers meant. I understand and agree with one remark that was made here, that we most study what is well worth studying, for twenty, or twentyfive, or maybe fifty years. Now it is just possible, I need to study this twenty-five years more, before I get a right view. I am not going to be dogmatic on that, but I will just submit this: May it not be as well for these young men who have referred repeatedly to my teachings in political philosophy, -might it not be well for them to study my teachings for about twenty-five years at the least, before they begin to assert themselves so authoritatively? I am not going to claim a place on an equality with these fathers of the church; but I submit that they might do well, before they come out in this sudden reform, and make such an assault, to give these profound subjects a few years more study, let it be fifteen or twenty, or twenty-five years, I won't insist upon fifty years, before they are ready to give such a dogmatic assertion.

I wish to say in this connection, that when you give me so much credit for having led you, my dear young Brethren, if you have had such respect for my authority up to a certain point, and have followed it, why do you so abruptly turn just there and leave me? Why don't you just continue in your respect and regard for my teaching, and follow me where I am now? There is a little bit of inconsistency, it seems to me, in that; to follow me up to a certain point which suits their purpose, which meets their own judgment, and then not to take a step further, because it does not meet their own judgment or their purposes. I would submit, then, that there be the following out of the advise, that or about a full half century to come there be a withholding of such positive assertions until they have looked into this whole profound subject a little more carefully.

But a little further on this point. I have spoken about this sectarianism. Now this is just the essence of the violation of these principles of the church, some of which I have affirmed. I have taught the organic unity of the church. It is all in our Covenant, and I stand by our Covenant. It is all in our Testimony, and I stand by our Testimony. It was taught by the venerated Father Sproull in the article that was quoted, and I stand by his teachings on that point. They are Scriptural; but there can be a perversion of those teachings, and there has been a perversion of the teaching of our Testimony, of the Covenant, of Father Sproull, and of myself, and I will show you what that perversion will lead to, and I am going to speak very frankly here, let the fruth cut where it may; I

shall bring out what I believe to be the truth of God, let it strike whom it will.

Going back to 1833 we find that there was a controversy in that year. The controversy of 1833 turned in part on the political theory of our constitution—the question whether it

was a National constitution or a Federal one.

I do not propose to enter into that aspect of the controversy to-day; enough for me to say that the Civil War determined that we were right, and that this is not a Confederation but a Nation; that religious acknowledgments are not only imperative in State constitutions, but in the national constitution, because it is a national instrument, the instrument of a great

sovereign body or nation.

The controversy turned in part upon that. Our very eminent brother, Dr. Gilbert McMaster, in a letter in the Christian Expositor, and in articles without number, based the action of the new school brethren on the theory that this was not a nation, but a league of independent sovereign States, and therefore religious acknowledgments should be sought in the constitutions of the several commonwealths; and when found there, we need not insist upon having them in the Federal instrument which was nothing more than the compact of a league. I pass by that without further discussion.

Another point was this: The unity of the church. And let me once more express my profound regard for the scholarship of Dr. McMaster in his discussions upon the unity of the church. I have taken pains to gather everything, I think, that Dr. Gilbert McMaster ever wrote. I have all his numerous publications bound together in a number of volumes. I have examined them, and pored over them, and studied them again and again, and I acknowledge most frankly my obligations to him for many of my views on the subject of the unity of the church.

But here is just where the trouble has been; and the same mistake was made in 1833 by those noble men—Dr. Alexander McLeod, Dr. John Black, and Dr. Samuel B. Wylie. I need not go over the catalogue of men of noble character and profound philosophers. Give them all that is their due; but as they made a mistake on the political theory of the American constitution, they likewise made a very fatal mistake in regard to the unity of the church, and I think the demonstration is complete.

They insisted that the church should be one. Now what did they do? They abandoned the position of the old Covenanter church. They said that we must not hold to political dissent. They came out frankly; there was no such thing as any argument on the part of these men that it was a Scriptural position, and a duty required of every follower of Christ that would be consistent, that he must stand and dissent, and refuse to vote. They frankly took the other position, that

this distinction was delusive: that it was not Scriptural. So they went out and began immediately to vote. Indeed Dr. Wylie began to vote before he went out, and because he did vote was one of the very points in the call for the meeting of the church court to deal with him. He had violated that law of the church. And there was no plea made in regard to the matter, that it was not a violation of the church law. And I appeal here to the records of the New School body. They never made a plea that he did not violate a law of the church, but they brought in a point by way of palliation or extenuation, that there was not sufficient evidence of his having done it, and that it was brought in as a false accusation against him for the purpose of influencing the minds of the people.

What testimony there is in that indirectly and incidentally as to what the law of the church was at that time! No question but the law of the church then was that her members, ministers and people, if they did vote at civil elections. were liable to the censures of the church. That is much stronger, since it comes in incidentally by way of implication. than if

it had been the most positive affirmation.

Let us look, then, a little beyond that. Taking this position, they did go out from us. They abandoned this position of the Covenanter church, and they abandoned this position on the plea of the unity of the church, and that it would be for the maintenance of the unity of the church, and for avoiding sectarianism and division. What did they do? If there had been true regard for the unity of the church, the moment they abandoned that one position which in that day distinguished the Reformed Presbyterian church from the Associate Reformed church, they would have gone into the Associate Reformed church. This they did not do. There was no principle to keep them out of the Associate Reformed church. Some might say there would a principle to keep them out of the Associate church. Now, there are some here who do not understand all these distinctions, and I must just briefly---

Rev. J. S. T. MILLIGAN: I presume very few here under-

stand how this comes in in connection with this trial.

Dr. McALLISTER: I will show you that.

Rev. J. S. T. MILLIGAN: I am sure nobody else would

Dr. McALLISTER: I want to show just how it is. I think Brother Milligan will be candid enough to admit that it has its connection with this. Without entering into all this history, the charges against these noble men, as they were,—and against whose moral character no accusation was brought—was that they were guilty of schism and sectarianism, in making a new division in the church, without any foundation whatever for that to rest upon. And I charge upon these

brethren who have maintained that separation to the present day, that standing out in that position without hav ng any ground on which to stand, they are guilty, although the plea has been a plea of church unity; they are guilty of schism and sectarianism in dividing up the body of Christ.

Rev. J. S. T. MILLIGAN: I say that is pertinent to this trial; but the history of the New Lights is both out of comity

and out of order.

Dr. McALLISTER: I hardly feel like submitting to that. A MEMBER: Our rule is, when we come to make up our mind on the case, then we can interrogate the parties on both sides, but not interrupt them in making their defence, unless

they are arraigning the church.

Dr. McALLISTER: It is admitted that this has its bearing. Now I propose to show that what had its bearing then, has its bearing now. That is, for any members of the Reformed Presbyterian church to-day, with this plea suggested with regard to the organic unity of the church, to insist that this church is to be reformed and revolutionized by taking away from her her position of political dissent and non-incorporation, and bringing her down practically to the position of the United Presbyterian church,—that party is guilty of the same schism and sectarianism. It would be a reforming so-called, a revolutionizing of the Covenanter church, which would make her practically the same as the United Presbyterian church; and yet it would keep up two churches which were practically the same. It would be schism and sectarianism in the body of Christ; a division in the membership of the body of Christ wi hout any basis to justify such division.

And we, therefore, are the friends of true church unity; we are the opponents of schism and sectarianism, and say we will hold the Covenanter church fast to the great position which, when you come to solve this problem of the organic unity of the church, will be the position of the one undivided body of Christ. That body will come to this position, that the law of Christ as King is the law for his church, and that that law is to be applied in all the relationships of life.

I pass on to the next point. It may be pleaded that the efforts that have been made to reform the church (for we will put it that way, as I rather like that expression) have not transgressed the limits of free speech, free press, free as-

semblage, and so on.

Now here is one of the most important points which you. Fathers and Brethren, have to deal with. I am ready to stand by every man on this floor, whether he is called a Liberal ot Conservative. and every man in this free Union of ours, in the advocacy and maintenance of the true rights of free speech, free assemblage, and free press. I know that our fathers paid too dear a price to give up lightly such rights as

these. But, my dear Friends, we must be very careful about

what we call this liberty.

I read from our Confession of Faith in another connection, and I do not need to read it again. Let me ask you, however, to refresh your memories from what is stated in the twentieth chapter of the Confession of Faith, fourth section, in connection with this subject of Christian liberty, as to what would be liberty of conscience, liberty to think, liberty to express thought, liberty to print what has been expressed, liberty to come together in assemblage, and there give expression to any resolution that might be adopted. All these are the rights of liberty when they are properly understood.

First, with regard to the right of thinking. I do not propose, and Brother Milligan with the rest of the brethren knows very well that I do not propose, to hamper any man's thoughts. I claim the right to think for myself, whether I agree with the fathers or not. And, my dear Friends, I say without hesitation that I am going to do my thinking, and you know it, whether I agree with this Synod or not. I have always done that. I have simply determined to follow the truth, to take God's Word and try to understand what God's Word teaches. And you are doing the same thing. I am only claiming for myself a right that every man of you claims for himself. There is no one here that would deny that right in anybody else. For every man here—this brother has claimed it—and he has exercised it in Christian courtesy. So have all these brethren here claimed it. My dear brother there, with whom I have differed many a time, has claimed it, and we have been brethren still.

How many a night have this dear brother and I lain awake or sat up? How many a time have we sat and talked hour after hour upon the points upon which we have differed? But has there ever been any difference of brotherly regard between us? Not for one moment. I would not fetter this independent, fearless thinking of any man on any point. Nor would I for one moment deny the right of giving utterance to

the thoughts under proper limits.

Brethren, the mind is not bound, and you cannot bind the mind. It will do its thinking; but the question comes, What about the expression? What about the putting forth? And here we must never forget that freedom must find limits when thought is put into expression; and when it comes to the ears of others, and influences others, freedom is limited; there must be restrictions, or it degenerates into license and licentiousness. It cannot be permitted except as it is in compliance with law. You ask, then, what is to be this compliance? Well, that depends altogether on the subject on which thoughts are to be expressed, and the relations of the speaker, whether his thoughts are to be put into print and sown abroad.

If we go back to the time of the War of the Rebellion, we might have thought here in the north that the north was not right, and multitudes did think so. We had any number of secessionists and "copperheads" throughout the north during the war. They thought, the United States government was doing what was wrong and unjustifiable. They opposed the carrying on of the war. So far as their thinking was concerned, it was all against it. When, however, they came to make public expression of their opinions and expression of their thought, the government said, that is transgressing the liberty of speech. And you remember what was done with Vallandingham. And the government did what was right with that eminent citizen of the United States, who transgressed the rights of liberty of speech, and the hand of the government was laid upon him accordingly. And so, had there been sheets circulated throughout the north at that time, advocating the rebellion and opposing the prosecution of the war for the life of our nation and the integrity of the Union, the hand of the government would have been rightfully laid upon such sheets, saying that this was in violation of the law, the true law of the liberty of the press. And if there had come together here in the city of Pittsburgh a gathering of those that sympathized with rebels, and had printed a platform, and sent it out, contrary to the constitution of the United States, against the authority of the United States government, an imperium in imperio, again the strong hand of the United States government would have come and broken up such an assembly, and interfered with what was called the liberty of assembly.

There are limits by which we have to determine freedom of speech, freedom of the press, freedom of opinion,—I won't say freedom of opinion, because you know from what I have said already that every man can think for himself; but it is when it has come outwardly to affect the peace and order of the social body of which the speaker is a member, and with which he is connected, in which he may in any way have anything to do, so as to influence it injuriously—whenever thought comes to this point, then authority interferes. That is just what our Confession of Faith says in that 20th chapter and 4th section, both with regard to the state and church.

I simply wait to maintain that this East End Meeting, and the issuing of the East End Platform, and the declarations made on the floor of the Pittsburgh Presbytery, are violations of the law of the liberty of speech, of the liberty of assemblage, and the liberty of the press, because they bear an analagous relation to the Covenanter church of this country, to that which such others, as I have referred to, bore in the time of the rebellion to the integrity and life of the American nation. Wherever there is any such transgression of these laws of the liberty of speech and of the press, and of as-

sembly, there it is a righteous thing that the authorities shall take hold of it. Not only is it a rightful thing; it is an imperative duty. And it was the recognition of its duty, its obligation to deal with matters of this kind, that led the Pittsburgh Presbytery to take this action in hand at its regular meeting in October last.

I come, then, to a point where the charge had been made, a kind of countercharge, charging the present course of these men on the teaching of others. While I have adverted to that in another connection, I wish to refer to the question here

very briefly.

I have had the somewhat questionable honor conferred upon me of being responsible for this whole business. It has been said again and again that a sermon which I preached here twenty years ago, is responsible for this trouble. I remember very well how my brother, Rev. J. S. T. Milligan, spoke to me, and asked me, before I preached that sermon, what I was going to preach about. After it was over we were talking together, and I recollect what he said, and I knew he was sincere; and so it has been charged, that responsibility is to be traced back to that, and to other things in connection with that.

Fathers and Brethren, I wish to declare that I have no responsibility for this course which is before you at present. Whatever responsibility I have for maintaining those principles. I am ready to answer for. I am ready, and I was ready then, to be libeled, if anybody wished to do it, and to defend myself. I did not violate the law as I understood it, and I am ready to defend my action then, and my actions since. But whatever may be thought, and I give liberty to our friend to press the action as he may see fit. I say that whatever opinion may be formed as to a sermon preached in this pulpit twenty years ago, or the course that has been followed out in consistency with that in the lectures I have given on political philosophy to the students and classes in Geneva College and the teachings I have set forth time and again,—I affirm that all these are in perfect harmony with true covenanterism. They are neither Newlightism on the left hand, nor Steeliteism on the right. In medio tutissimus ibis-you go safely and most safely, between two opposing extremes. You do not want to fall into the extreme of Newlightism. I examined it, and disposed of it; it is contemptible. Mark, I do not say the men are; I respect them; some of these men are among the best men I know; I have worked with them, and I honor them; but their principle is something that I will not have any connection with, for as I have already set forth, to my mind it is simply sectarianism.

And so, on the other hand, I want no connection with Steeliteism. I want to stand on clear, explicit ground with regard to what the truth of the Covenanter principle is; and if I am responsible for anything, I am responsible for trying to hold the Covenanter church against that right hand extreme and left hand defection, that there may be honor done to her Lord and King, and that she may accomplish her great mission in this country, to lead this land into subjection to him who is King of kings, and Lord of lords. But whether that be the correct view or not, the men who have taken their own course must hold themselves responsible. If they are going to charge me with the responsibility, they need to have me standing with them, aiding and encouraging them in their present course, and that is something I have not done. I have

faith ully plead with them as I had opportunity.

My dear young brother, Rev. O. B. Milligan, seemed to think, after the meeting of the last Synod, that I would not carry out the agreement I had with him, to come here and assist at our communion. I never dreamed of such a thing as changing that arrangement. He came, and we talked together. I told him he was wrong. I told him it was a mistake, before any proceedings were instituted at all. I found it was impossible to deal with one man in a company bound together. I therefore had no encouragement to speak to the others. I did remonstrate with him, that this was the greatest conceivable mistake, to go and occupy such a position in antagonism to the Reformed Presbyterian church, the church of his honored father, and honored grandfather. And I say the same thing to him and to all the rest of the brethren to-day.

Now, if there be responsibility of mine for this state of things in such a course as that, judge ye, Fathers and Brethren. You can understand from what I have already said, how I have spoken with these men as I had opportunity, one and another of them; how I have tried to show them the mistake they made in abandoning the positon, in the maintenance of which their own dear and honored ancestry entered

into glory.

Another thing has been brought up, and that is the charge that this unhappy condition of our church is the result of the abandonment of her position. I do not need to dwell upon this. I simply need to remark here that the church has not abandoned her position, and I am ready to maintain this at

all proper times and places.

But even admitting, for the sake of argument, that the church has made a mistake in the past, is making one mistake a justification of going forward and intensifying the blunder? If there has been any such mistake, let the effort be made properly, and every one has a right to make the effort in due form, in order to correct the church's mistake, if it be that there has been one; and let me entreat, in the name of common sense, in the name of honesty and integrity of purpose and aim—in the name of the church's welfare,—let me

entreat that, if there be charged upon the church one inconsistency in reference to her members, that be not made the excuse of another aud greater inconsistency. If it be admitted that a certain number of the members of this Synod have taken a position that is not in harmony with the church's principles, why should that lead the entire church to take another position, which must be in antagonism to the principles which our fathers maintained? Let not, then, this course be charged upon any error of the church herself in the past.

Thus we come, then, to the conclusion that this attempt to throw the responsibility off these men themselves is a failure on every hand. The course of the liberals since the last Synod, and particularly the "Organ" which they have seen fit to throw out, and I only refer to this simply as an expression of views, has been the medium of laying before the public, scattering throughout the church, the very addresses, at least part of them, which were delivered before the Pittsburgh Presbytery.

I charge upon this entire movement, and in this case particularly upon the persons that are before us, that they them selves—not anybody else; no teacher whose principles they have in part followed, and then, when it did not suit them to follow any further, abandoned; no mistake that may have been made,—and I do not concede a mistake, but even admitted, no mistakes, so-called, which the church may have made; but the course of the men themselves, free agents, without trammels upon their actions, excepting trammels which they disregarded, the authority of their church;—acting upon their own responsibility, they have pursued a course, and that course which they have pursued is the course that b.ings us to this unhappy situation of things which you, Fathers and Brethren, have to meet to-day.

This evidence is complete. We have all seen that there has been no injustice, no wrong, in the manner of conducting the trial. Now I have submitted to you the evidence that there is no ground of appeal from the verdict found that they were guilty of pursuing divisive courses. If you had been present, and heard what the members of Pittsburgh Presbytery heard, you, I am sure, would have given your votes as the members of Pittsburgh Presbytery gave their votes; for the verdict of that Presbytery was practically unanimous. The very few exceptional cases were such as in the nature of the case could hardly be otherwise; particularly when two men in the first place, who gave their votes, were men who were voting on their own case. And so I say it was practically a unanimous verdict; and being unanimous by the action of Pittsburgh Presbytery, it comes here to you and commends itself to you as a decision which you in righteous-

ness will sustain, or as an appeal which in righteousness you will be constrained to dismiss.

THIRD. Now, Fathers and Brethren, I come to the third main point, and that is the appeal from the sentence of suspension. And here I wish to show to you that there is no

ground for this appeal.

In the first place, I wish to take up the passage of Scripture which has been so frequently referred to. It is wonderful how we can have passages of Scripture referred to only in part. Do let me ask you, if you can get hold of your Bibles, just to turn to Matthew 18th chapter from the 15th verse: ..Moreover, if thy brother shall trespass against thee, go tell him his fault between thee and him alone: If he shall hear thee, thou has gained thy brother. But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word may be established. And if he shall neglect to hear them, tell it unto the church; but if he neglect to hear the church, let him be unto thee as a heathen man and a publican."

Notice this: "If thy brother have aught against thee," "if thy brother trespass against thee." then "go and tell him his fault." Now these brethren trespassed against whom? Not against me personally. I did, as I have shown already, personally speak with some of them as I could until I found it was of no avail; that it was a combination, a sort of association, or organization; an organization to which the clerk said on the floor of Presbytery that he was authorized to get names, and did attempt to get some names; and I think he said, if I remember correctly, and this can be confirmed, that he obtained some names after the East End Meeting had been held, as enrolled members of the organization effected on the Platform that had been adopted.

Then what is the application of this command? This command is for the one against whom anything has been said to go. Well, it was the church against whom this was said; and Pittsburgh Presbytery was the representative of the Covenanter church in this part of the land where this thing was done; and Pittsburgh Presbytery did fulfil this precept. It went to these brethren just according to this Scripture and told them their fault. "Then, if they hear thee, thou hast gained thy brother." They did not hear us; they did not hear

the Presbytery.

When this was attempted again, there were still more and more witnesses;—for at first it was done just as quietly as it was possible to do it, at a regular meeting of Presbytery, with no crowd of spectators: but by and by it came when the house wouldn't hold the spectators. Now what follows? Let me read the seventeenth verse: "And if he shall neglect to hear them, tell it unto the church." That was the church. It was told the church. The church dealt with them. What

then? "If he shall neglect to hear the church, let him be unto thee as a heathen man and a publican." "If he neglect to hear the church." I charge that they neglected to hear the church. When they were found guilty of pursuing divisive courses, if they had heard the church, they would have then said, "We are sorry." We would not have asked them to express sorrow which they did not feel in their own minds; but they ought to have felt sorry that in the judgment of Presbytery they had pursued a course that was dividing the church.

What was the church then called upon to do? According to this command, "let him be unto thee as a heathen man." That is, do not say he is a heathen, do no pronounce him a heathen, do not pronounce him a publican; he is a member of the church, you recognize him as a member, but let him be unto thee as such. That is, relations must cease, und the relations must be as if he were not a church member. Suspend him. Do not cut him loose from actual membership, but as if so.

This is what the church did, according to the command of the Lord, in order that this suspension might bring about a restoration of the erring brethren to their proper position in the church. That was why the sentence of suspension was inflicted.

This conforms, too, with what we have in our Book of Discipline. I must call your attention to the portion of the Book of Discipline that has been referred to, and show you how that corresponds exactly with this passage of Scripture. Page 66, paragraph 5: "Offences which are private, either personal transgressions affecting only one or a few, or any other scandal known only to a few, are, if possible, to be settled without giving the scandal any greater degree of publicity, according to the rule in such cases provided, Matthew 18:17." That is, offences which are private,—known to one or a few,—or any other scandal, whether a personal transgression or not, known only to a few. This does not apply in the present case, so far as that part of it is concerned, for it was a scandal wide spread. It was a fama clamosa; it was all over this church; it spread throughout the length and breadth of the land. And so this rule which, in this part, applies to private offences, could have no proper application here.

Then again, with regard to this matter of appeal from the sentence of suspension. The effect of an appeal, in cases of suspension particularly, does not arrest the infliction of the sentence. I wish to make that clear as a matter of Presbyterian law. Our own book does not go into the details, but the books on which our book is based, particularly this collection of the laws of the church of Scotland, the laws of our fathers, is explicit. And so in regard to other books. Let me

call attention to a number of these. I need not read the United Presbyterian Digest, which brings this matter before us as the law. In that church a sentence of suspension or deposition from office does not stay the sentence, as the Book says. I will call your attention to that more fully after a little while. I ask you to refer to Moore's Digest, page 737, where we have the rule of the church, together with a number of cases under the rule: "When the judgment directs admonition or rebuke, notice of appeal shall suspend all further proceedings; but in other cases the judgment shall be enforced until the appeal is decided." (See also Presbyterian Book of Discipline, ch. IX, § 100.)

Now notice, the only exceptions are in cases where we have admonition or rebuke, and the reason is perfectly manifest. Admonition or rebuke is what puts upon a man the displeasure or full sentence of the court. In the other cases, it is as in suspension from an office; and in the case of suspension from an office, this Book says that in all cases, unlike those of admonition and rebuke, the appeal shall not have the effect of keeping the sentence from having its full force. So that we have here the case of suspension included, and thus this rule of the Book is the ground in part, on which the

action of Pittsburgh Presbytery is based.

Before I proceed a little more fully on this general principle, I shall read from Steuart's Collections, volume 1, page 428, section 11, as to the effect of appeals; I shall give the Latin for the sake of those of you who are Latin scholars: "As to the effect of appeals, 'non sortiuntur effectum suspensivum, sed devolutivum tantum.'" I shall explain that for the sake of any of you, who do not understand it, a little further on. Consequently, because of this nature of the effect of an appeal, the appeal does not "resolve in the nature of a process for remedy of law against the sentence pronounced by the lords of session. It resolves only in that, that is, in the way of protest, and not in the nature of suspension." That does not refer to a sentence of suspension, but it means this: that an appeal does not act as anything more than a protest. It does not suspend the judgment which has been found against the person that makes the appeal. "By the last article, chap. 5, act. 11, Assembly 1777, an appeal being made by parties, should sist the execution of the sentence appealed from only while the appeal is duly and diligently prosecuted, and may thereby be determined, otherwise not: unless the judicature appealed to receive the appeal, and take the affair before them; and in that case the judicature appealed from is to sist until the appeal be discussed."

It is worth our while, Fathers and Brethren, to look into this with a considerable measure of care. In the first place, then, note that appeals do not have a suspensive effect. That is the meaning of the Latin. They do not have the effect of suspending the judgment, but they have only a devolutive effect: that is, an effect which devolves from one court to another.

Now take the case of parties. There are two parties. An appeal is made in the case of parties. When this appeal is made by one party, it simply devolves; it does not suspend, excepting where the other court will immediately take up the matter; then it will be arrested until that be done, in the case of parties. Let it be known once and for all, that in this case, by our own Book, the Pittsburgh Presbytery was not a party. Our Book says that in fama clamosa cases, the court finding a libel, shall not be considered as a party. You can look that up at your own convenience; I have not just marked the place, but some of you will remember just where it is. Here it is. Turn to page 82, at the close of paragraph 5: "But in prosecutions on fama clamosa, the court finding the libel is not to be regarded as a party." Listen to that. "In prosecutions on fama clamosa, the court finding the libel is not to be regarded as a party." So that in this case we did not have before the Pittsburgh Presbytery, nor do you have, in the strict sense, before the Synod two parties. The court finding the libel, is not a party. It was carrying out in this case, on fama clamosa, the law of the church.

The rule in Steuart's Collections is, that if there be two parties, and one of the parties appeal, and the matter can be immediately devolved, not suspended, but devolved, from that inferior court to the higher court, that will take it up and proceed. The process is to sist; that is, it is called to a halt; but in no other case. In these other matters that I have referred to, in the United Presbyterian Digest and in the Presbyterian Digest, these other cases, where there is a question of suspending men from office, or deposing men from office, and the court that is going on with that, is not a party at all, there shall not be the suspending of what is done, but

the sentence shall be carried into effect.

A great deal has been said, and quite a laugh was raised by it, about the analogy in a case of murder. As if there were any sound thinking in that presentation before this Court! Let me bring it before you again. A man according to that supposition is found guilty of murder. The lower court found him guilty, but an appeal was taken. On that appeal you carry the matter before the higher court; but when the case came before that body, according to this supposition, the sentence of the lower court had been carried into effect, and after the party had been put to death, the higher court found him innocent. But, it is said, it would then be a matter of very little moment to the poor fellow, whether he was found guilty or innocent.

Let us see just how this matter does work. Suppose we take up a case of murder. The murderer is found guilty by

the Court. The prosecuting attorney, bringing the case for the State, is not a party in the case at all. The man is found guilty of murder. He takes an appeal, and because he takes an appeal he is let go free. The argument drawn from the analogy is, that after the ministers were found guilty of pursuing divisive courses, having taken an appeal, they were not to be suspended; that is, they were to be permitted to exercise the functions of their office; they were to be permitted to go on. The man who had committed murder was to be permitted to go on and do what he had done. No let or hindrance was to be put upon him! If the analogy holds at all, it holds there. The sentence was to be suspended, and men found guilty of pursuing divisive courses were to be let go on and pursue that course, without anything as a bar in their way, simply because they had taken an appeal. If that is the effect of an appeal, what is the use of having courts at all? What is the use of bringing before a court a case of this kind? Let it go until the court of final resort meets, and do not pretend to touch it until then, because no matter what a man may do, he may take his appeal, and he is free to do as he may see fit to do, until the court of final resort meets.

If there be any force, then, in analogy, this whole line of argument and illustration simply shows that the Pittsburgh Presbytery did what it was imperatively bound in the nature of the case to co, according to the principles of government

and Presbyterian law.

(At this point, the hour for devotional exercises having ar-

rived, the time was upon motion extended.)

A MEMBER: It has been objected that some of the speakers have turned to that little book, and I would ask the speaker to read the last verse of the 26th chapter of Acts.

Dr. McALLISTER: The member will have an opportunity

to do that.

THE MEMBER: It is just in your connection.

Dr. Mcallis'Ter: I prefer not to do anything of this

kind by way of interruption.

I pass next to the severity of the sentence. And here I shall be very brief. And, first, as to the functions and privileges from which the sentence suspended the offenders. As this has been shown, it was from the exercise of the functions of the ministry. Now it does not matter whether the words were, "ministry of the Reformed Presbyterian church," or not. I am ready here to offer testimony, and it can be done by calling upon the member of Pittsburgh Presbytery who offered the motion. I will ask Brother Crozier to state to the Court the motion he offered.

Rev. J. F. CROZIER: The motion, as I made it, was not the motion as recorded; but it is the motion as recorded, in the respect in which the brethren took exception to it. Now I wish the brethren to take particular notice, and also the members of the Pittsburg Presbytery. The motion I made was this, and I have just the paper: "That these brethren be suspended from the exercise of the office of the ministry until Synod meets." That is the motion I made. Professor Willson, with his usual accuracy, arose and called my attention to the fact that that was not proper; that it should be "Until repentance and reformation;" and that I accepted.

Dr. McAllister: That is the motion, then, that was offered, and seconded, and carried. According to that motion the Moderator pronounced the sentence of suspension in due form, as found in our Book of Discipline, on page 136. I need not wait to read that form of suspension, except to call your attention to the closing words, which are these: "Suspend the said A. B. from the office of the ministry, forbidding him to exercise any part of said office." And then, when the question was raised as to what was included in this with reference to other matters, like the privileges of the church, the Moderator turned to page 87, and read that suspension as it relates to officers of the church is exclusion both "from the exercise of office" and "from such privileges as are peculiar to church members." This, then, is the extent of the suspension as it was brought out in Presbytery, and brought out distinctly.

The next point is with regard to the territorial extent of the suspension. And here there was no limit. There was nothing whatever intimating that this sentence of suspension still left liberty to exercise the ministerial office outside of the pulpits of the Reformed Presbyterian church. Why, what an absurdity it would be for a court to suspend a man from exercising the ministerial office, say in this pulpit, and still give him liberty to go right across the street, to the corner of Penn Avenue and Eighth Street, and perform the functions of a minister in the pulpit of that church. What would be the significance of a suspension that would permit anything like that? Then, again, as I have already stated, the authorities, which I need not repeat, show that in other bodies the sentence of suspension not only forbids the exercise of the ministerial office in the way of preaching, but it forbids a suspended minister from exhorting, with illustrations from Scripture. (Baird's Digest, page 133.)

That is the extent of a suspension. Now in connection with this, for this was all very clearly brought out,—I do not say that these illustrations were brought out, but the principles were brought out,—I admit there were some persons who did have a different idea. Why, it never entered into my mind, I never conceived of anything else than this, and I am well persuaded that there were but few who thought differently, and that these men themselves knew just what the sentence said, "Suspension from the exercise of the ministry," and "from the privileges of members in good standing." Why,

suspension has no effect, there is no disciplinary force to it, unless it is carried out according to the law and order of the church.

Now see how it was in reference to this matter. I wish to bring this consideration before the Court: The question was asked as to pastoral work. Again the Book was read that suspension does not dissolve the pastoral relation, that the pastoral relation still continues; and so it was stated that these persons were pastors of the congregation over which they were placed.

Then the question came up about the supply of the pulpit, and this was discussed again in the same way; that as they were still pastors, although suspended from the exercise of the functions of their office, supplies would not be sent to their churches contrary to their will. They were still to be consultated in that matter as pastors of the congregations.

After a very short time the question came up about their support. Now all things hang together. Having been suspended from the exercise of the office, and being still in pastoral relations, not being permitted by the suspension to go and preach elsewhere in order to obtain support, the congregations of which they were still pastors were to give them their support. It was only just a very short time until I received a letter, and if the gentleman is in the Court I would like to have him make a statement. It was Mr. S. O. Lowry, of McKeesport. He wrote to me, asking my opinion as Moderator of Pittsburgh Presbytery in regard to this matter. Is Mr. Lowry present?

(Mr. Lowry was not present.)

Let me give, then, the substance of what was stated, which can be produced, and that was that the congregation of Mc-Keesport was responsible for the payment of the salary of the pastor. Other questions came up in the same way. In every instance I gave my judgment, not officially of course, but gave my judgment as having been Moderator of the Presbytery, in connection with what had been done, that the relation still existing, the congregations could be held, and as I expressed the opinion in the letter, they could be held legally before the civil courts for the payment of the pastor's salary, providing the sentence was respected. If the sentence had been respected that was one thing. The very idea was respect for the sentence, and in order that there might be no temptation to disregard the same, the support should be given just as usual.

It is true that when we had a meeting after this, one of these suspended ministers on the floor of Presbytery said, "The Presbytery were pursuing the policy of the government toward the Sioux Indians, and were going to force them into subjection by starvation." That charge was made on the floor of Presbytery, and if Mr. Lowry, sr., an elder of that congre-

gation, is present, I will ask him to state what was the fact as to the payment of the salary. Or if Miss Martha McConnell is present, I will ask her to state.

Miss MARTHA McCONNELL: When Presbytery suspended our pastor, the motion was made that each congregation be put under the care of the Committee on Supplies. and the congregation make arrangements with the chairman of the Committee on Supplies. The clerk of our session called the officers of the congregation together on the following Monday, the 15th of December. We talked the matter over. I have the motion or action of our meeting in writing, being a certified copy from the Secretary of the meeting, and this is the action that was taken: "Miss M. A. Connell moved that the pulpit be supplied two days until the special meeting of Presbytery" - this was in December, and that would refer to the January meeting of Presbytery, - "and the officers be instructed to ascertain what is the duty of the congregation in regard to the payment of the pastor's salary, and make arrangements in regard to supplies in case we can secure them. Carried." This is taken from a copy of the Minutes signed by the Secretary. It was the action of the congregation. do not know whether I am at liberty to state what was done by the pastor. This was on Monday night. On the following Sabbath he preached. And I should state in connection, that on the 1st of December he was paid in advance up to the 1st of January. On the Sabbath following this he preached and received pay therefor.

A MEMBER: Preached where?

Miss McCONNELL: As I understood in Deer Creek congregation under the U. P. church; it is either in Mercer or Lawrence county. The first two Sabbaths in January he also preached, and we understood he received pay. On the 14th or 15th of January he made statements as Dr. McAllister has said. Before Presbytery he did not state the action of the meeting, and he misrepresented the action of our officers' meeting.

Rev. J. R. THOMPSON: I wish to raise a point of order, and it is this: According to the custom of this Symod and all deliberative bodies, no parties are questioned until after the parties are removed. We will hear both sides, and there will be an opportunity to ask questions through the audience, and to bring forward testimony.

Dr. McALLISTER: I wish to reply to that: This is part of my address.

Rev. J. R. THOMPSON: It is no part of your address to bring up a witness.

Dr. McALLISTER: I could have made the statement.

Rev. J. R. THOMPSON: Yes.

Dr. McALLISTER: The Moderator will decide.

Rev. J. R. THOMPSON: Of course, the Moderator will decide in your favor.

Rev. H. H. GEORGE: No man has a right to say, "Of

course, the Moderator will decide so and so.'

A MEMBER: I move that that member be compelled to retire.

Rev. J. R. THOMPSON: I made that statement because of what Dr. McAllister said.

Dr. McALLISTER: I said that the Moderator would decide on the case.

Rev. J. R. THOMPSON: That the Moderator had decided

the question.

Dr. McALLISTER: Did you not just now say that I said, the Moderator would decide in my favor?

Rev. J. R. THOMPSON: I understood you so.

Dr. McALLISTER: Didn't you next say you understood me to say, the Moderator had decided the case? How do you reconcile those two statements?

Rev. J. R. THOMPSON: They are perfectly reconcilable. Rev. Dr. H. H. GEORGE: Mr. Thompson said as he sat down, "Of course, the Moderator would sustain him."

Rev. J. R. THOMPSON: With that explanation of Dr.

McAllister I withdraw the statement.

The MODERATOR: The Moderator understands that parties are to be questioned when the hour comes for questioning parties. The Moderator understands that the speaker called upon Miss McConnell to make a statement that is really a part of his speech. He could have made the same statement himself, he tells us, and he simply calls upon the lady to make the statement as one who was well acquainted with the facts, and the Moderator does not see that there is any violation of the rules in this matter.

Rev. J. R. THOMPSON: I understand that. It has been our custom always to have the parties removed and then ask

questions

A MEMBER: Questions are asked before the parties are removed.

Rev. W. L. C. SAMSON: Can I have a word?

The MODERATOR: If we receive testimony from that side we should receive testimony from Brother Samson.

Rev. W. L. C. SAMSON: In my rebuttal will I have opportunity to question parties concerning this matter in Mc Keesport congregation?

The MODERATOR: Certainly.

Dr. McALLISTER: Now, Mr. Moderator, I resume, and you will bear with me a little longer on account of this inter-

ruption.

Î wish to charge personal responsibility upon the appellants for the disregard of this sentence. They have disregarded the sentence, as this shows conclusively to you.

Suspended by a proper and competent court, they have nevertheless disregarded the sentence of suspension, and therefore they are personally responsible for doing so; and this is in accordance with the law of the church. I only cite one authority, and that is in the case of Mr. Lusk. We find this immediately following the division of 1833. I might mention other cases, but I prefer to mention this, found on page 24, of the Minutes of Synod of that year, 1834: "Resolved, secondly, that inasmuch as Mr. Lusk, notwithstanding the decision of the court, did for some time continue to exercise the duties of the ministerial office as though no censure had been inflicted, thereby leading one of our congregations into an act of rebellion,—and this is true in this case, -Mr. Lusk cannot be restored to his former standing without a Synodical review." And what has thus been maintained by our own Synod has been maintained by other Synods; and it has been maintained in the case that I quoted to you from Moore's Digest and from Baird's Digest, page 133, that when there had been the discipline of the Presbyterian body exercised upon one of her ministers, and he had disregarded that discipline, a Congregational Association, not a Presbyterian court even, but a Congregational Association, said that for his violation of the sentence of the court, to which he was subject, they would not admit him to a place in their body until he had made satisfaction to the court whose sentence he had violated.

I mention that as an example of the denominational courtesy that is due always, altogether apart from the question of whether the different denominations agree or not. The discourtesy shown Pittsburgh Presbytery has been inside of our body. It has been discourteous for these other judicatories, like sessions, and for congregations that did not know anything about the proceedings in full or in detail, or that had heard an ex-parte statement—had heard from one side only, a highly colored, or discolored, narrative of the proceedings-to jump to hasty conclusions, and send in condemnations of the conduct of Pittsburgh Presbytery, and send men to sit here in this Court to pass judgment upon the Presbytery, practically instructed by the bodies that send them to find Pittsburgh Presbytery guilty, and so instructed before they knew the facts of the case in reference to this matter. Not only that discourtesy, but discourtesy outside of our body, which I once more bring before this Court; and I say that the fact that there has been discourtesy, should not weigh in your minds to the effect of showing you that as they regarded these men as if they were not suspended, therefore you, submitting to the judgment of the Christian world at large, as it has been put, should also regard these men as if they had not been suspended.

Now I want to affirm the principle here, with all the

strength I can, as seen in the case, for example, of the Baptist minister referred to. There has been, in fact, a case of that kind, but I do not refer to it in detail. I simply adduce it in principle; but if the case is wanted, I can give the data in reference to it. A Baptist minister violated the law of his own church in reference to baptism. The question came up. Could another church that believed in infant baptism receive him? And the decision was that he had violated the covenant he had entered into as a Baptist minister, and was under obligation to go to the court whose rule he had violated, and acknowledge his mistake in violating the rule, -not acknowledge that he was wrong in believing in infant baptism, nobody would ask that; but that he had violated the rule and was under obligations to make acknowledgment. course for him would have been to come before the court and say: "I have changed my view on the subject of baptism; I do not intend to do anything contrary to the law of the church, and I ask to be dismissed." If he had done that, there would have been no trouble in the case. He did not do that. While under the law, and in the bonds of the covenant, he violated the church's law, and then asked to be received while he was still a law-breaker, without having made any

satisfaction for having broken the law.

If such a person would come to the session of the Eighth street church to be admitted into the membership of the church, the church would not admit him, though it believes in his view on the subject of baptism. Of course, the matter of the ministerial function would not come in in this case. But I know, Mr. Moderator, that the Pittsburgh Presbytery would not admit a Baptist minister, however highly qualified, however free his moral character from all charges, if he were still under conviction of having violated the law of his own church, in a point in which we did not agree with the Baptist denomination. We should insist that he make satisfaction to his own body, and then come to be received into our church. In reference to a member of the Protestant Episcopal church, if he had violated a rule and canon of that church, though we did not agree with that rule and canon, he would be compelled by Pittsburgh Presbytery to go to his own denomination and to the proper authority, and give satisfaction for having violated the law; and then he would be in condition to come and be received into the Pittsburgh Presbytery of the Reformed Presbyterian church. And I think there are but few men and few courts, if they give the matter careful thought, that will disregard interdenominational courtesy on points like this, although interdenominational courtesy has been repeatedly disregarded, and by men whom I honor, too. Let me say here that I did frankly and privately give my opinion to a dear brother where this had been disregarded. I told him to his face, what I have said here before this Court, that it was a violation of interdenominational courtesy. And I can but say, at any proper time, to any man's face, what I say here in public, and will say it to the dearest friend I have. It is a principle in all such cases, and applies to any man or any court that will thus violate the proprieties and usages, whether it be of the Baptist denomination, on the subject of opposing the law requiring immersion; wether it be of the Protestant Episcopal church, on the subject of opposing the law with regard to Episcopal ordination, or any other matter. We are bound as sister denominations of the church of Christ to have respect to each other's exercise of authority. If we do not, we then put a premium upon the violation of all church laws.

As my dear brother said,*) and said so effectively, the congregation, the pastor, the session, the Presbytery, the Synod, or the Assembly, that does this, that receives a law-breaker into it when he has not given satisfaction to the body with which he has been in covenant relations; when he is taken in as a law-breaker, without giving satisfaction, enters into a covenant with that man that he may break the law in the new denomination. And mark my words, the men that are received in that way will in all probability prove that they have as little respect for the law of the church with which they have recently become connected, as for the law of the church

with which they have been heretofore connected.

And now I bring this whole matter to a conclusion. bearing of this point on the question of sustaining the appeals is just this: The Presbytery in its first judgment found these men guilty of pursuing a divisive course. It then proceeded to carry out what it could not hope to carry out otherwise. Its first judgment would not otherwise have been worth a snap of your fingers. It proceeded to carry out that judgment in a temporary suspension. That sentence has been disregarded. The men who have disregarded it, really had no right to be heard before this Court, until they had given full satisfaction for having violated the law of the church. They did not give full satisfaction; and now when the question of sustaining the appeals comes up, this must be considered by you. If any of you have in your mind the idea that they ought to have made satisfaction which they have not made, that itself is sufficient for your own conscience to tell you that the appeals ought to be dismissed. And if they have given to your mind sufficient and satisfactory evidence of not having treated the court, under which they were, with contempt, or of having purged themselves of contempt, then the question still remains, whether there be ground of complaints of injustice and wrong, and whether there be ground for these

^{*)} The Rev. Dr. T. P. Stevenson, in a discussion on the floor of Synod before the present trial came on.

appeals. You should still keep in view the fact of their having violated this act of suspension, and with that the whole course of procedure taken together, viewed as a complete case, as it has been insisted you should take everything into consideration; and all these considerations must prove, as it seems to me, fully adequate for the reaching of the verdict that these appeals ought to be dismissed.

Rev. J. R. J. MILLIGAN: May I ask a question just at this point. Did that Mr. Lusk preach in his own church or

in another.

Dr. McALLISTER: I do not think it makes a bit of difference; to my mind there would not be a particle of difference. Rev. J. R. J. MILLIGAN: I want to ask another question:

To what effect was the resolution passed the other day after we had made our statements.

Dr. R. J. GEORGE: I think these matters will come up afterwards. I do not think they necessarily come up now.

(The Court then upon motion, duly seconded and carried, adjourned to meet Monday morning, June 8th, 1891, at 10:30 o'clock, A, M,)

MORNING SESSION.

MONDAY, JUNE 8, 1891.

The MODERATOR: We have now finished hearing the defence of the Pittsburgh Presbytery by those appointed for that purpose. The appellants and complainants have the right to reply. They will remember, however, that they have not the privilege of bringing in any new matter but simply of replying to what has been said by the representatives of Presbytery. In the order in which they have addressed Synod before, we will call upon them again. Mr. A. W. McClurkin.

Rev. A. W. McCLURKIN: Fathers and Brethren, I shall not weary you, if I can possibly help it, in my reply to what has been said. In the first place the Minute of Pittsburgh Presbytery concerning the statements made on the floor of Presbytery last October is false with respect to myself. That Minute has been read here again and again. You know what it states. It states that these persons, naming the seven, made remarks defending their connection with the East End

Meeting and Platform.

I desire to recall to your minds the circumstances under which I made my remark last October. You all know that at that time I was pastor of the New Alexandria congregation. There were resolutions passed by that congregation which were before Presbytery at that time. Of course, I would have that personal matter more clearly and definitely uppermost in my mind at that time, and I made remarks at that meeting of Presbytery concerning that, as that seemed to be a matter of regret or worry in the congregation, viz., that I, or that congregation, was represented in the minority in the last meeting of Synod, and not in the majority. It matters not how often that Minute may have been read in Presbytery, how often it may have been discussed in Presbytery, if the fact is that the Minute is false. All these other questions do not contain very much force in them if the fact remains that that Minute is false.

Again, in the second place, it was the business of Pittsburgh Presbytery to have a correct record, especially if the Court used that record as evidence. I repeat, it was the business of Pittsburgh Presbytery to have a correct record con-

cerning those statements.

I desire to say here that there was no effort made to have my statements taken down or preserved, except the earnest effort of the representatives of the press there at that time. There was no effort made on the part of Pittsburgh Presbytery to preserve my statement. And I wish to say that if I am to be condemned on my statements made at the Pittsburgh Presbytery in October, I wish to be condemned on those statements. If they are the evidence against me, it is the business of Pittsburgh Presbytery to produce that evidence against me, and I again ask that they do produce those statements. And if I am to be condemned on them then condemn me. If I am worthy of condemnation I shall submit to the authority of the Court condemning me. I certainly shall not object if I am worthy of being condemned on the statements made in Presbytery last October.

It seems to me, and I think it would seem to every fair minded man, that the person who is to appear as prosecutor in that case, must produce the testimouy which he has, or which he alleges that he has, or which they allege they have, against me,—my own statements on the floor of Presbytery

last October.

It has been stated here, I think I understood the one stating it clearly, that Presbytery could have suspended all of us immediately upon our making our statements last October. I heartily and sincerely wish, if Pittsburgh Presbytery could have suspended me immediately upon my making my statement upon the floor of Presbytery last October, that they had done so, and stood before the world condemning me upon my statements, and then could I have stood before the world condemned upon my statements made upon the floor of Presbytery last October.

But again it has been urged and re-urged again and again, that I certainly heard the Minute read, that false Minute read, last October, or that I heard it upon other occasions. I can say here, after having thought over it and thought over, that I cannot recollect of ever having heard that Minute read until my trial in January, and then when the admissibility of the libel was being considered, and the admissibility

of the testimony, I called for the reading of the Minute concerning the statements that were made in October. And it is strange to me that it flashed upon me while I was on my feet in the presence of Presbytery that there ought to be some record of the statements that were made in Presbytery, though I could not remember that there was ever any Minute made of it, or that I had heard it read. That flashed upon me just at the time, and I asked that the record, or whatever Minute there might be, should be read then and there. Now, I do not say that I was away from Presbytery when the Minute was read. It may have been read when I was there, but I cannot recollect of ever having heard it. It may be strange but still that is true.

But again, I declined to answer the Moderator's question, which question he put after I had signified my declinature of the authority of the Court. I declined to answer his question because of the force of my declinature. It is true that it was shortly before noon that I gave notice I declined the authority of the Pittsburgh Presbytery. It is also true that I gave verbally the substance of the reasons of my declinature of Pittsburgh Presbytery, but had not committed those reasons to writing. Pittsburgh Presbytery was kind enough to dismiss for recess, and allowed me the interval to prepare my reasons for declinature. I prepared those reasons for declinature, and in order, as I stated to Presbytery, that Presbytery and the audience might understand the reasons for my declinature thoroughly, I began stating the reasons that led up to my entering my declinature of the authority of the Pittsburgh Presbytery. As I was doing so, the Moderator arose, reading from the Book, and stated, that he had omitted or neglected a certain very important part.

Dr. McALLISTER: Not neglected; omitted.

Rev. A. W. Mcclurkin: Omitted a certain very important part in the proceedings; and he then proceeded to inquire, not as would have been expected, "Have you been guilty of following a divisive course?" but his question was, "Were you or were you not at the East End Meeting?" It seems to me that, already having given notice of my declinature of the authority of the Pittsburgh Presbytery, the Moderator, so far as I was concerned, had no authority to question me at that time.

There are some other incidents that might be related here, though 1 do not know whether this would be the proper time to relate them or not. However, since the Moderator of Pittsburgh Presbytery has spoken already concerning the matter, it seems to me this would be the proper time for me to speak.

The Moderator of Pittsburgh Presbytery began to question me concerning the facts as he said, "Were you or were you not at the East End Meeting?" I began to say (and I do not think there was a half a minute hesitation or pause between the question and the answer). "Any one who can read the libel understands that it charges that on October 15th I made the statement that I did attend the East End Meeting, but I did not get any further than, "Any one who can read can understand the charge of the libel," when he interrupted me. and said, "Answer me: Where you or were you not at the East End Meeting?" I immediately, with not more than a half a minute of hesitation, proceeded to repeat that the charge in the libel was, that I stated upon the floor of Presbytery last October that I was at the East End Meeting. He interrupted at almost the same stage in my answer, "Answer me Yes or No: Were you or were you not at the East End Meeting?" I answered, "I decline to answer." It is somewhat strange that the Moderator, looking me in the eye, could see another one, who was said to be my confidential friend and adviser, somewhere about half way down the church, wriggling and turning red and white by turns.

Again, concerning this very point, it was stated that I made no remarks concerning the admissibility of the testimony when the admissibility was being discussed. You will remember that I stated before this Court when the admissibility of the libel was being considered that I called for the reading of that Minute. Perhaps it was just immediately after this, or perhaps it was with a little delay after this (I am not certain whether it was just immediately after this, but it was very soon after), that the Moderator began putting the question on the admissibility of the libel. I interrupted him and said I had something to say concerning the admissibility of the libel, especially concerning the admissibility of the testimony, and I stated there that the testimony was not admissible, inasmuch as the testimony in the libel was false; after the relevancy of the libel had been considered. I was restating grounds which would lead up to my declinature, and then the Moderator began to question me, which, it seems to me, any person would acknowledge was an unauthorized questioning at that time.

I think, these points are clearly before you all. I think you can all comprehend them. If you cannot, it seems to me, I ought to repeat and repeat them again and again. It has been asked frequently, why I did not have a correct Minute, why I did not get that Minute corrected before last January. I do not know whether this is the proper place to inquire why in the world Pittsburgh Presbytery did not have the motion corrected before April. I refer to the motion or Minute that is included in the suspension from the exercise of the ministry in the Reformed Presbyterian church. It might be pertinent to inquire why Pittsburgh Presbytery did not have "the Reformed Presbyterian church" stricken out from the Minute on the record, thereby getting the record corrected. If it is pertinent to inquire why I did not have that other Minute

corrected before January, why in the world did not Pittsburgh Presbytery have this Minute corrected before April? There were two or three meetings between December and

April.

Besides, it seems to me that I, having already entered my declinature of the authority of the Pittsburgh Presbytery, my answering the Moderator's question either "yes" or "no" would have vitiated the force of my declinature. It seems to me that the Moderator was exactly correct when he said upon my answering "I decline to answer," "You are consistent with your declinature." It seems to me the Moderator was right at that time in so answering. It seems to me still that

I was right in declining to answer.

But again, I wish you to notice: That I voted for the adoption and publication of the East End Platform not a member of the I ittsburgh Presbytery can testify. I will turn it round so you will get the force of it. Not a member of the Pittsburgh Presbytery can testify that I voted for the adoption and publication of the East End Platform. Shall I begin in the middle and go both ways? That I voted for the adoption and publication of the East End Platform not a member of the Pittsburgh Hresbytery can testify. Further than this, that I said on the floor of Pittsburgh Presbytery that I approved of the East End Platform, or that I attended the East End Meeting, not a member of Pittsburgh Presbytery can testify.

Now I think you will understand all that clearly and distinctly. It is unnecessary for me to advert to a matter which has been referred to and adverted to again and again here on this platform, and that is, concerning the contempt of the Court. It will be unnecessary for me to say anything about that here to-day. It seems to me that that matter can be attended to by abler men than myself. But I wish to say: If you have reason to believe that I attended the East End Meeting, and adopted, or was responsible, so far as I individually was concerned, for the adoption and publication of the East End Platform,—if you have reason to believe all that, then let me ask you to libel me for that and ask me the question and see how long you will have to wait for an answer. Summon your witnesses, and present as many corroborative witnesses as you may please, and see how long you will have to delay for your answer.

I ask you then if you consider it worth your while to present an admissible libel against me, then try me on that. Let me stand before the world as condemned for my own sins, if I am to be condemned for my own sins, let me stand out in the sight of the world as condemned for what I have said if I am to be condemned for what I have said. If I am to be condemned for what other men may have said, then condemn me for it. But if I am to be condemned for what I have said,

condemn me for what I have said. It seems to me nothing but right and just that the words of all the young men, if those words are to be used afterwards as testimony, should be recorded as testimony. That seems to me nothing but right and just. I care not whether the six be standing together upon identically the same ground, their words ought to be recorded, their testimony ought to be presented in the Court; and it seems to me, if I am to be condemned on my testimony, I ought to be condemned on that and my words recorded.

(The Moderator announced that the next speaker in the order in which the young men had previously spoken, was Rev. H. W. Reed, but Mr. Reed was not present in the Court, and therefore he requested Rev. E. M. Milligan to proceed

with his address.)

Rev. E. M. MILLIGAN: Fathers and Brethren, it was asserted at the beginning of this trial that this Court had never heard Presbytery's side of the case. I submit that that statement can never again be made here. This Court has listened attentively for two long days to two of the ablest men of the Reformed Presbyterian church, men of acknowledged mental ability, men of singular eloquence, men of strong minds; and whatever case Pittsburgh Presbytery has, has been proven to this Court, and is before this Court at this time, in the strongest light that it can possibly be presented.

I ask you, Fathers and Brethren, to notice also the two spirits that were manifested in the presenting of the Presbytery's defence. There was on the one hand the spirit of the Gospal, loving, kind and gentle; there was on the other hand the spirit of the law, implacable, unmerciful, demanding justice. I do not call attention to this to criticise either the one or the other; I simply ask you to note the fact that the first spirit was not manifested in the trials that took place at Wilkinsburg, from the beginning to the end. The spirit of the law prevailed and governed every step of that trial.

The Covenanter church to day has reached a crisis in her history, and it depends under God upon you to determine what shall be her destiny—the spirit of the Gospel or the spirit of the law. With these preliminary remarks let me pass on to review the defence that has been made by these breth—

ren on behalf of Pittsburgh Presbytery.

The first speaker alluded very feelingly to the sacredness of the ministerial character. He called the attention of this Court to the fact that he had been feeling wounded at the terrible wrong that had been done him by my brother easting for a moment a suspicion and a stain on his character. Has he forgotten the sacredness which ministerial character attaches to us? Has he forgotten that the same emotion that swayed in his heart, that rent his heart, that caused anguish in him as he stood before this Court; has been rending the

hearts of his dear young brethren for the last six months, because of the cruel wrong that has been done to them, because of the unjust suspicion and the false sentence that has been

passed upon them?

He claims that at every step of this trial Pittsburgh Presbytery has been very careful to preserve a distinction between the crime with which we have been charged, and on which we have been suspended from the ministry, and the fact that there has nothing been charged against our moral character.

Now, Brethren, let us look at this.

We were charged with the crime of following a divisive course. Analyze the charge. There is in it contained the charge of insubordination; there is the charge of covenant breaking; there is the charge of breach of official trust, all included in the statement of following a divisive course. And I ask you, Fathers and Brethren, is it possible that a man can be insubordinate to the authority of the Court of Christ's house, which is over him in the Lord,—can he possibly be a covenant breaker, can he possibly be seeking to lead the church into defection,—and his moral character be unstained? I maintain that this distinction is a distinction without a difference.

He refers, as an example, at the same time to the eminent Dr. Briggs, and the treatment that he has received at the hands of brethren of the General Assembly of the Presbyterian church. But I submit that the cases are in nowise analogous. The Presbyterian Assembly has not libelled Dr. Briggs for following a divisive course. They have not charged him with a heinous sin and scandal. They have not suspended him from the ministry, and refused him communion and fellowship in the church of the living God. But that is what Pittsburgh Presbytery has done with us. The distinction sounds to me very much like that which is made by Dickens to appear in his Pickwick Papers,—they have charged us with being guilty of a heinous sin and scandal only in a Pickwickian sense.

But I submit that, so far as our characters are concerned, it has gone out to the world that in the Reformed Presbyterian church are seven ministers guilty of a heinous scandal

and sin.

He justifies the action of Presbytery by the resolution passed by Synod at its last meeting, which was to the effect that Synod emphatically condemns this discussion of our principles and enjoins Presbyteries everywhere to see that it is discontinued. Well, Presbytery in this case appears before this Synod for a justification as a very obedient child, bowing humbly and submissively to the will of this superior court, and in a spirit of subordination, carrying out the will of this Court, and I admire that spirit.

But, Brethren, this same Presbytery that is so submissive

in this case forgets to tell you that that act of the last Synod was only passed by a majority of two votes; well, there are other acts of Synod regarding the ordination of deacons—

(The Moderator called the speaker to order.) Mr. Moderator, are you calling me to order?

The MODERATOR: Yes, sir.

Rev. E. M. MILLIGAN: On what ground?

The MODERATOR: It is the introduction of new matter. Rev. E. M. MILLIGAN: I think this is simply showing that it is not a command to justify Pittsburgh Presbytery's course.

The MODERATOR: The Moderator thinks it is the intro-

duction of matter that is impertinent.

Rev. D. S. FARIS: I believe the defenders of the Pitts-

burgh Presbytery introduced the fact.

The MODERATOR: They introduced the fact; but the Moderator's idea was the introduction of a charge against the Presbytery in this connection that in another case they were not obeying a decision of Synod was not pertinent to this case.

Rev. E. M. MILLIGAN: The point was, that this act was the motive inspiring Pittsburgh Presbytery's action, and that Pittsburgh Presbytery would have acted in any other case; and I am simply showing, sir, that this was not the motive that justified Presbytery's act, or led to it; and I maintain that it is pertinent to the question.

Mr. D. TORRENS: I have a Minute, as I took it down, that Dr. George said that the Presbytery was acting under

the authority of the Synod.

The MODERATOR: That is correct. The Moderator does not dispute that fact; but the point the Moderator makes is that the introduction at this point of a charge against the Presbytery, impugning the motives of Presbytery, in this connection, is not in order, especially by bringing up cases where the speaker says the Presbytery has not been obeying the decisions of Synod. That is the Moderator's point. The speaker has a perfect right to reply to the point which Dr. George makes.

Rev. E. M. MILLIGAN: I am not bringing in charges against the Presbytery. I am simply asserting the fact to show that here were other acts of Synod that Presbytery entirely ignored, and that Presbytery went entirely contrary to; and consequently, when they justify themselves on the fact of another act of a similar character, it is a pretty weak defence.

I will pass that, however, but it sounds to me very much like the case of a boy whose father commanded him to do two or three things he did not do, and when his father told his younger brother to divide his candy, went and took the candy from his brother and spanked him for not offering it; and then when his father told him he ought not to have done it he said, "My dear father, I did that in obedience to your

command." It seems to me, that is about the position Presbytery has taken in this case. It was a stronger brother. But when it meets this Synod, it is very submissive to the Court that is over it in the Lord. Again, the action of Presbytery was taken because of certain specific, definite acts reported in the daily papers. These acts are brought forward. There was: First, the fact of a meeting at the East End; Second, the fact that this was a secret meeting; Third, that this secret meeting had resulted in an organization; Fourth, the fact that this secret meeting which had organized had formulated a Platform of principles; Fifth, that this Platform of principles was being circulated throughout the church.

On the same authority he should have gone on and added an additional fact that was before the Presbytery, viz., that this secret organization, formed at the East End with its Platform which it was circulating, was designed to destroy the church because all these six facts were reported in the papers.

Now, I ask you to notice that there was not a single member of Presbytery that took the least trouble to verify one of these facts. Here were the charges made in a paper. You have already heard from the defence that the papers are utterly unreliable; that these papers misrepresent everything. That is when the shoe is on the other foot. But when they come out with statements with regard to our secret organization, designed to destroy the Covenanter church, it is sufficient evidence to justify Pittsburgh Presbytery coming at men, ministers of Jesus Christ, with a threat of discipline.

Let me ask you to notice again, that it may be said, how could they verify these reports? There were no names given in the paper. Ah, but there were. And more than that, the Secretary of that Meeting, when he sent the Platform of principles to certain members of this Court, signed his name to that as Secretary. Was it not within the reach of the Presbytery to write to the Secretary of that Meeting, and ask if these facts that are stated in the paper, were true before he published that in his magazine, and began to make certain statements on the evidence of newspaper reports? I submit, Fathers and Brethren. if that course had been pursued and the Secretary had been written to in regard to that Meeting, all that was to be known of that Meeting would have been freely and willingly placed in the hands of those who sought the information. But that was not done.

On the testimony of these unreliable newspapers, reports of a sensational character, all these grave charges were at once greedily seized upon and sent broadcast throughout the church. Notwithstanding the fact that these charges that were specified in the newspapers, were of a most serious character, notwithstanding the fact that they reflected not only upon the sacredness of ministerial character, but also upon the honor of men who were with them brothers in Jesus Christ, these same men did not hesitate to vouch for the truthfulness of these statements, which were copied into the call for that Elders' Convention over the signatures of these same men. And the report was sent out through the church that it appears that certain brethren have done so and

so, and here is our signature to youch for it.

They went further than that. There was not only this statement made in the call for the Elders' Convention, which was vouched for by prominent ministers and elders in the church, within the bounds of this Presbytery, but they also copied them into the church magazines, again scattering them among all the people within our community, certified to again by their signatures as being certain that such a thing was being done; although they had no authority for it but

these same unreliable newspaper reports.

Therefore I submit that under the circumstances, if there has been any injury done to the Reformed Presbyterian church, if the Reformed Presbyterian church is to-day in danger of being rent because of these statements, that unless Presbytery is capable of sustaining the charge that there was a secret meeting, that there was an organization, that there was a purpose to lead the church to violate her solemn covenant and forsake her sworn allegiance to Christ, her King. if Presbytery cannot substantiate those grave charges, then I maintain that Presbytery is responsible for all the injury that has been wrought in our beloved Covenanter Zion. Now then, notice, that after the church had been thoroughly aroused by this misrepresentation, and shaken to her deepest foundations, then Presbytery convenes, and at once there are certain facts brought to the notice of Presbytery. The facts are brought to the notice of Pattsburgh Presbytery in the memorial from the Elders' Convention reiterating these serious charges. Facts coming from congregations where we had never preached, where we had never been, charging us with these serious crimes and calling upon Presbytery to take some action to arrest this kind of work within the church.

Did any of these memorials contain the names of witnesses? Did any of these memorials contain the name of a single witness that would testify to these charges? Did they point to our congregations that were being divided, that were being broken up? Did they point to a single place where there was trouble because of our views? Did they refer to a single instance to show that there was active, aggressive work being carried on to carry out this damnable purpose of leading the church into defection? Not in a single memorial. The charges were made in these memorials, but on what did they rest? On the same newspaper reports. Then Presbytery came at us with the threat of discipline, asking for a statement. Reference has been made to the fact that when the

Committee on Discipline at Presbytery reported, they recommended that there be a season of prayer; and that after that certain brethren be permitted to state anything they desired in regard to their attendance at the East End Meeting, and their formulating the Platform; and that during this hour of devotion and towards its close I gave out the 15th Psalm. I did. And part of that report of the Committee on Discipline was read in your hearing to show what a terrible spirit I manifested when I asked the Court to sing that Psalm. part of the report read in your hearing referred to the warm affection which these brethren had for the dear young brethren, who were thus and so guilty. I did not give out the Psalm because of any warm affection in that report of that Committee on Discipline. But mark you, Brethren, that these charges of covenant breaking, of insubordination, of heresy, of following a divisive course, of breach of official trust, of almost every crime that a minister of the church could be guilty of, were made on the fact that certain brethren had voted in the minority, on the fact that certain brethren were known to be the friends of Christian union in the Reformed Presbyterian church,—because of these facts they were indirectly charged with all these crimes. Is it any wonder that I asked the Court to sing the 15th Psalm in regard to those who would be in the house of God.—men who do not slander with their tongues, nor to their friends do hurt?

I tell you, Brethren, I felt the slander. I felt that Presbytery could have found out all she asked and all she knows today, without charging the dear young brethren with all these crimes, and that without the slightest evidence that any one of them was true. And if there was spirit awakened, if there was a spirit of resentment called forth, it was because of these slanderous charges indirectly made against the sacredness of ministerial character in violation of the fraternal bonds of the

ministry.

But was there any evidence before the Court to prove these five charges that the defence has brought forward as being the facts with which they had to deal? I have already shown you that there were declarations with regard to these facts made in these memorials. But is a declaration of a fact a fact? A great many things may be asserted, and yet I should be very loathe to take up that assertion and put it forth as a fact, especially when it reflected upon ministerial integrity.

I maintain that Presbytery, when it met, had no fact whatever before it. Oh, yes! the report of the Committee on Discipline came in, and we were given an opportunity to state all that we knew, or all that we wished to state, in order that by a full, frank and open expression of our views we might be brought to see eye to eye, and peace and harmony be restored to the church. Now there was one of the young men at once said, "Not a word, not a word; here are all these charges being made against you, and this is simply a trap to get evidence to prove these charges. It is simply an attempt to have you say something that will commit yourselves and justify them in proceeding against you." When this statement was made, I said, "I have nothing to conceal; if I had done anything wrong, if I have in any wise been guilty of any crime against the law or order of the Reformed Presbyterian church, I am willing that the worst shall be known." And hence, when the opportunity was offered, we, every one of us, went forward freely, of our own accord, as the defence have

stated, to make statements.

Now we might have given Presbytery an endless amount of trouble to prove that any one of us was there. They had no evidence, they had no testimony, and if we were such a bloodthirsty secret organization, seeking to destroy the life of the very church, it seems to me that we would have resorted to some of the methods of these blood-thirsty organizations, and we would have given Presbytery a chance to prove to us being there, without our aid. But we did not feel the need of that, Brethren. We went forward and we told fully, frankly and openly all that we knew in regard to that East End Meeting and its Platform; not with the purpose and with the hope of justifying our opinions-for it was not a question of that; the question was not whether our opinions were right or wrong, and that was not the time to argue whether those opinions were right or wrong; we went there, I say, not to justify our opinion but to meet Presbytery and, if possible, by this full, frank and open statement to restore peace and confidence to the church that we loved.

But now about the statements that were brought forth on that occasion. We admitted frankly the East End Meeting. We admitted frankly that we had had a hand in formulating its Platform. We admitted that we adhered to the opinions that were set forth in that Platform as being an honest expression of our understanding in regard to the teaching of our standards. And then as to our purpose we told Presbytery the fact that we were misunderstood, that we were misrepresented, that the report was going around throughout the church that we were opposed to the principle of political dissent, or were opposed to the kingly claims of the Lord Jesus Christ; and that we had put forth that Platform for no other purpose then to correct these misrepresentations, and to show to all concerned exactly where we stood. There, then, were the facts before Pittsburgh Presbytery, and for the first time since this trouble began were there any facts before Pitts-

burgh Presbytery.

I submit that these facts of the East End Meeting, the formulating of that Platform, the adhering to its principles, and putting them forth simply to correct misrepresentations, and to show all concerned where we stood,—were not of a

nature to justify a charge of our being guilty of the heinous and scandalous sin of pursuing divisive courses. And Presbytery knew it. There, then, was the time for Presbytery to arrest this trouble.

There, then, was the time for Presbytery to quiet the fears that had been aroused in the church, and to call back its false statements and misrepresentations, and by taking a manly course to pour oil upon the troubled waters. Was there a man in Pittsburgh Presbytery great enough to see the fact and seek to undo the harm that had already been done by this false and slanderous accusation? Yes, there was one, and that man I have already referred to,—Dr. J. W. Sproull.

When our statements had been candidly made to Presbytery, Dr. Sproull arose with a resolution to the effect that these brethren had been misunderstood, and that from their statements it was evident that it was only a difference of opinion existing between them, and this whole case should be transferred to Synod for its settlement, on condition that the young men would agree to hold their opinions in reserve until Synod had settled the question. I submit to you, Fathers and Brethren, that there was a settlement of this difficulty. Had Presbytery acted on that suggestion, I would not have been here to-day, and these my dear brethren would not have been here to-day with me, pleading with our fathers and brethren to vindicate us from the crime, or intended crime, of bringing all this trouble upon the church of Jesus Christ, the church of our birth, the church that we love. Oh, no! Was that resolution offered to us? Other leaders in the Pittsburgh Presbytery at once arose and opposed it. They said it must be stronger. Dr. Willson also offered a resolution of a temperate character, and either of those resolutions would have been satisfactory to us. and would have settled this trouble and brought the matter up to Synod for the calm discussion of the interpretation of the standards and the doctrines, instead of, as it is to-day, brothers pitted against brothers, the one seeking to defend their characters, the other seeking to drag them in the mire. Oh, yes! The resolutions were not acceptable to the leaders of Pittsburgh Presbytery. And so another resolution was introduced by the Moderator, that no man outside the church of Rome could sign. And there for the first time any of the young men made objection. I arose for one and said, "I will never subscribe to such a statement; I will never accept such resolutions." Consequently we opposed a peaceable settlement of the difficulty.

While we have this subject before us, in order to conserve as much time as possible, let us take up the separate facts the defenders of Pittsburgh Presbytery have brought here as justifying their action, and see how far they are true, and how far they can be substantiated. And in order to save time, I will consider all the facts made by each of the speakers under the various statements of facts that have been adduced.

What proof has Pittsburgh Presbytery that our Meeting at the East End was a secret meeting? For I maintain that the facts, and the only facts, that would have justified the course of Pittsburgh Pres bytery, would have been the clearest evidence that there was an organization formed, whose purpose was to lead the church into defection and to overthrow the

principles of our church.

Now, these are the statements, and Presbytery claims that these are the facts that were brought before them. What evidence, then, can either of these defendants bring forward to substantiate the fact that there was a secret meeting? The first speaker alleges: First, that it was given out as secret; Second, that in some sense it must be secret because so little is known of the place of meeting, of the time of the Meeting, of those who attended the Meeting, or of those who watended the Meeting, or of those who were its officers. And he avers, that the Platform, the only thing that should not have been made public, is about all they know in regard to it, everything else being covered with a veil of mystery, and no one can find out what took place. Here is the evidence, then, that we had a secret meeting.

The other defendant brings forward additional evidence as follows: First, the essential evils of a secret society were there. Or else he cannot understand how any one could feel constrained, or restrained, from telling all he knew about what took place at that Meeting; Second, the society will continue to be secret until he gets hold of its Minutes. Here,

then, we have the evidence of a secret organization.

Just at this point let me say that, when charges were going around throughout the church of a secret meeting, and members of the Court were whispering to each other of a secret meeting, that I arose when it came my time to speak in my defence, and I began to take up this matter of secrecy to show that the organization, if it were an organization, was in no sense a secret one, and what was the result? Why one of the members of the Court at once are e and said, "We do not believe that there was a secret meeting." He said it was nonsense to talk about that Meeting as being a secret meeting. that it was a private meeting, and any one has a right to have a private meeting. I said. Very well, Mr. Moderator, if it is understood by this Court that we are not charged with holding a secret meeting, then I will pass that point and say nothing further about it." I asked, if there was any objection in the Court, and there was no objection, and I dropped the subject at that time. But now these defenders of Pittsburgh Presbytery, in their desperation to uphold and justify a course which is without parallel in the history of Protestant Presbyterianism, grasp at this straw of a secret organization and come to try before this Court to prejudice the minds of its members by poisoning them against us with the thought

that we were a secret organization.

Now let us look at these statements that were made to justify the secrecy of this organization. First, let me ask, are all these statements true? Certainly not. There is not a member of this Court that does not know where that Meeting was held. It was held in the East End church. There is not a member of this Court that does not know when that Meeting was held. It was held on July 15th. There is not a member of this Court who does not know who its officers were. Rev. J. W. Carson was its chairman, and the Rev. H. W. Temple was the Secretary. There is not a member but what has heard once and again asserted in open court the purpose of that Meeting; that it was a meeting for prayer and consultation which resulted in the formulating of this Platform of principles, to be sent forth to correct current misrepresentations and misunderstandings of our position. Is not that true? Every member of this Court knows that much at least on the testimony of ministers of Jesus Christ, whose moral characters are unsullied, according to the statements of the defendants. Every one of those ministers has once and again asserted that this was all that Meeting amounted to.

But ah, you say, how about the other one that attended that Meeting? How about those Minutes? Well, let us consider the second piece of evidence to justify the secrecy of that Meeting, which was brought forward by the second defendant, viz., that the essential elements of a secret society were there. On what does he base that statement? He cannot get hold of the Minutes, and he cannot find who else was there besides the men who are suspended in full view between

heaven and earth.

I maintain that this same thing might be true of any society, or bank directors, or of any private business concern. One day last week the Moderator of Pittsburgh Presbytery called a meeting of that body together, and one of the reporters of a daily paper went up and asked if the meeting was called for any special purpose. The reply was, "Yes, to at-

tend to its own business.'

I submit that if the evidence, which has been adduced in this Court. is evidence of a secret society, then that reporter is a competent witness to the fact that Pittsburgh Presbytery is a secret society. And why? Because he cannot find out anything about its place of meeting. He does not know when it will meet. He could not find out what they were going to meet for. He does not know who its officers are. He cannot, for the life of him, see its Minutes. A secret organization! Ah, the essential evils of a secret organization we have had illustrated on the floor of this Court! Incidentally I will refer at this point to a statement made by one of the defendants. He says that at the meeting of the judiciary the

Rev. Mr. Temple asked him to step outside for a conversation.

Rev. D. C. MARTIN: Mr. Moderator, I think opportunities have sometimes been allowed for explanations. The Minutes of that Meeting are here, and none of the reporters ever applied for them. They are not concealed at all and anybody can see them that wants to.

Rev. E. M. MILLIGAN: When the defendants were speaking, it was insisted upon that they should not be interrupted,

and I ask that the same courtesy be extended to me.

Rev. D. C. MARTIN: It is only that wrong impressions be

not given that I interrupted you.

Rev. E. M. MILLIGAN: I reply that when I wished to make a correction I was told I would have a chance in rebut-The defence has the last address to this Court, and they can correct any false impressions that I make. Now we have had illustration on the floor of this Court of what I consider the essential evil of a secret organization. Mr. Temple invited one of the members of that Committee or Commission to please step outside in order that he might consult with him in regard to certain matters. The gentlemen went outside, and according to his own statement, Mr. Temple's first words to him were these, "May I tell you something in confidence?" What was that something? Murder? No, he didn't know what it was, but he said "yes." "Yes, you may te!l me something in confidence." The gentleman then proceeded to tell him that there was an organization formed at the East End Meeting, and bound him that he would not use that in any way as evidence against him, and that he would not mention the fact in the Court, or in the Committee, to the prejudice ef these young men.

Here we have this terrible imperium in imperio brought to the knowledge of this member of the Court. Does he repudiate the thought of sealing his lips? No, he accepted it. He accepted it, although to-day it is the abominable thing that God loathes, and that is going to destroy this church; although it is brought to his knowledge, and although as a member of a court of Christ's house he is under ordination vows not to use any private knowledge to prejudice the case in rendering a decision; he is under a moral obligation to come before this Court, bragging that his lips were sealed until the person who bound him to secrecy, broke the seal.

Then his lips were opened.

There, Brethren, is one of the essential evils of a secret society. The Mafia of New Orleans would not demand anything more of such a man, and he could become a member on no stronger pledge than that. The binding of ourselves not to reveal, and to always conceal, is an essential evil of a secret organization. If it can be shown that the members at the East End Meeting bound themselves, either by oath or by

solemn promise to maintain secrecy, to not speak of what took place in that Meeting, never to give out to the world the names of those who attended it, to keep its Minutes in quietness; if they had entered into such an obligation as that, whether by oath or by promise, then there would have been an element to be condemned. There would, then, have been such a secret organization as the Covenanter church should deal with, and as I hope to God all the reformed churches, and all the evangelical churches, will yet unite with her in breaking the power of such organizations.

Has there been any proof brought forward to show that we were under any obligation to conceal and to never reveal what transpired in that Meeting? Well, the very fact that when asked by Presbytery to come forward and make full and frank statements that we felt at perfect liberty to come forward and tell them all they know to-day of what took place at that Meeting, is evidence that we were not bound to secrecy. And if at that time, before all this trouble had been stirred up in the church, before brethren began to look upon us with suspicion, and to hold us at arms' length; if at that time Presbytery had asked us to state who was there we might have told the names of every one that was there. can say to-day before God that I am at liberty this minute to tell every one who was there in person or by representation at that Meeting; I can say that brother H. H. Temple is at perfect liberty to-day to publish to the world the Minutes of that Meeting as they are written in his diary. And neither he nor I would be guilty of a breach of faith to a brother in so doing. We are not under any pledge, nor are we under any promise, that we will never reveal the proceedings of that Meeting.

You ask, then, why do we not come forward and put the Minutes of that Meeting on this table? You ask me why we do not give the name of every one who attended that Meeting. Ah, Brethren, why was it that Douglass, hanging suspended from the precipice, held secret, if you wish to call it so, the name of his beloved pastor, from Cromwell and his men? Why was it that the Covenanters of Scotland refused to state their secret place of meeting, where they would gather to worship God and hold communion with the Saviour they loved? Why did they feel under restraint not to reveal these things? Was it because they were secret organizations? Was it because they had entered into a solemn covenant with each other to repress facts? No, but it was because they loved their brothers; it was because they felt they were cruelly wronged and persecuted, and they did not desire to reflect upon those, who were innocent of any crime, the same injustice and suffering to which they had been subjected. And that is the only reason to-day why my mouth is sealed; and

my mouth would be sealed even under more trying circumstances than these.

I et me know that this Court is not determined to pursue and crush out, and to seek to sully the character of the men whom I love, and for whom I would lay down my life, and I would be very willing now, without consulting them, to tell you every one that was there. But until I have some assurance that their safety is guaranteed, I will be silent; not because I am bound to it, but because I owe it to myself as a man.

I take up the second fact that was brought before this Court to prove that there was an organization formed. Was there an organization formed at the East End Meeting? Well, the defendants bring forward certain evidence that there was. There is, first, a report in a paper and another one in the libel formed to prove that there was an organization. They referred to an interview that was related in the Commercial Gazette on August 22nd, in which Dr. McClurkin is reported as having said, "We organized this society" for such and such reasons. Now I ask you to consider certain facts. This interview took place on the 22nd day of August. Ten days before that the Elders' Convention had been held. The charge was there made of an organization. The papers were full of reports of this organization having been formed and so on. This reporter comes to Dr. McClurkin and asks him in regard to certain things. Dr. McClurkin and he had a conversation. An organization was never mentioned either by Dr. McClurkin or by the reporter; but the thought of an organization was in the mind of that man. He wrote nothing there. He went to his home and wrote up this report of the interview with Dr. McClurkin.

I have in my possession a letter from Dr. McClurkin and as it is only a few lines, I wish to read it as rebuttal evidence to show how much proof there is that there was an organization. And I presume, to most of the members of this Court at least, the word of Dr. McClurkin will be acceptable.

"ALLEGHENY, JUNE 5th, 1891.

"The language of the interview of August 22nd in regard to organizing a society I never used. Neither did I by the use of any other language say or imply that an organization had been effected.

(Signed) J. K. M'CLURKIN."

I shall not say anything further in rebuttal of this newspaper item. I feel that so far as it has had any weight with any member of this Court, that statement, over the signature of Dr. McClurkin, will be sufficient to brush it forever to one side.

Now the next evidence on which they base an organization is the statement of the East End Platform, which is as follows: "We, the undersigned, agree together in the mainte-

nance of the following principles." It is asked, does not that imply an organization? The first item of the basis submitted to us by the Judiciary Committee, was: "We disavow the East End Platform as a bond of union within the Reformed Presbyterian church." Does that imply an organization? These brothers before this Synod say, that when they were in that Judiciary Committee, the thought of an organization was not in their minds at all. "We disavow the East End Meeting as a bond of union." But let us take that expression "We agree together." Remember that we are all bound together in covenant vows. Remember that we are all members of the household of faith and in one communion. Remember that the principles, as set forth in that Platform, were the honest convictions of men in regard to the right interpretation of the Testimony, to which they were bound by ordination vows. And then what becomes of the expression "We agree to maintain." We simply renewed our obligation to each other to stand true to our ordination vows and maintain the truth to which we felt we were bound by the Testimony of our own church. So much for that evidence of an organization. I now come to the third evidence, that Rev. H. W. Temple admitted that there was an organization. This is true.

(At this point a motion was made that the rules be suspended and the Court take a recess until half past 1 o'clock, which was agreed to.)

AFTERNOON SESSION.

The MODERATOR: We will now resume the hearing of the appeals which were before us at the time of adjournment.

Mr. E. M. Milligan has the floor.

Rev. E. M. MILLIGAN: This morning before adjournment I was taking up the different facts which Presbytery stated were before them at the time of their meeting, and which justified their course of procedure against us, and you will remember I had specified these facts: 1. The Meeting at East End. 2. The secret Meeting. 3. The organization. 4. The formulating of the Platform. 5. Circulating that Platform. I had said, that the fact of the Meeting, the formulating of the Platform, and adhering to those principles, were the facts, that were really before Presbytery; and I was proceeding, to show, that these other facts, on which they have based so much of their argument, and which are really vital to their side of the case, were not before them at the time of the meeting of Presbytery; and that even at this late day after six months have passed by, in which they had every opportunity to collect the facts, there is no evidence to justifiy these statements, that a secret organization was formed with a design, to destroy the church, or to justifiv the thought of such facts.

And I dwell more particularly on this matter (this must be my apology for the length of time I have taken) because the very gist of the whole question lies right here. If there was a secret organization designed to destroy the Covenanter church then I would not be here pleading my case against the Pittsburgh Presbytery. Then Pittsburg Presbytery would not only have been justified but compelled to take the steps she has taken.

I have already shown you how much ground there is to suppose that there was a secret society; and I was speaking on the matter of an organization at the time of adjourment. I had referred to the fact that this belief was rested first on a newspaper report. I brought you a letter from the person with whom that interview was said to be held denying that he ever used the word "organization".

Dr. McALLISTER: May I ask you to read that letter

again?

Rev. E. M. MILLIGAN: I would do so with pleasure but I left it at home. I left at home the part of my manuscript that I had done with and I have not the letter with me.

Dr. GEORGE: You can produce it?

Rev. E. M. MILLIGAN: Yes, sir, I can produce it and will. The substance of that letter signed by Dr. J. K. McClurkin was to the effect that he had never used any language or made any suggestion that would lead to the supposition that there had been or was an organization formed at the East End

Meeting. That was the substance of that letter.

The next point that was brought forward was the matter of the heading of our Platform. "We the undersigned agree together to maintain these principles." I had shown you exactly what we understood by that; and that this was nothing more than that men who believed that voting on amendements was right or men who believed that voting on amendements was wrong, here agree together to maintain their honest convictions without necessitating an organization for that purpose.

And when I closed I was at this point: The admission on the part of Rev. H. W. Temple that there was an organization. Now this is in the nature of evidence; and in regard to this statement, in order that it may be fairly presented to the minds of all, bear with me while I state the circumstances of that admission. After the trouble had proceeded to that point where it was necessary for us to meet the Judicial Committee, we assembled there at the call of the chairman and heard read to us the basis on which they proposed to settle this trouble.

The first two points had been talked over and were satisfactory to your appellants. But on the third point I and others had taken exception and had asked exactly what was meant by our giving a promise that we would not propagate

our opinions. When this point was just about settled, Brother Temple, who was sitting next to me, touched my arm and said, "We cannot accept that basis." I asked him why? He said, "There is an organization." Well, I was very much surprised at that, for it was the first intimation I had of any organization of any kind having been formed, and I at once replied to him, "You are mistaken about that; we didn't organize at East End." He said, "There is an organization." You will remember that that basis, as written, was, "We repudiate the basis of organization formed at East End," or words to that effect. When Mr. Temple said this, I reached over to one of my brothers, who was sitting near me, and I asked him if he understood that an organization had been formed at the East End; the reply was, "No" I said to him, "Brother Temple says there was an organization formed there." He said, "Well, I did not so understand it." I then turned back to Mr. Temple, and I said that there was no organization. He said, "Well, I so understood, and have written it in the minutes." "In order to relieve my mind, I believe I will speak to Dr. McAllister on the subject, and ask him, if I could honestly accept that basis with my belief, that there was an organization." I said, "All right, suit yourself on the matter; but", I said, "So far as I am concerned, I could honestly accept that basis, for I know of no organization, and I have nothing now but your belief for the fact of an organization."

Mr. Temple then asked Dr. McAllister, if he would be kind enough to step outside, as he would like to see him privately for a few moments. What took place there, the Moderator has already informed you. Mr. Temple told him, that we had formed an organization, and asked him if he could accept that basis with that fact in view. The Moderator told him, as Mr. Temple said, pretty much what the Moderator has told us here, that if there was an organization formed, it was a great mistake. and that he ought to get right out of such a thing, and if he would agree to disavow the organization formed at the East End, that was all that was necessary.

He came back, and gave this opinion of the Moderator. That satisfied him on the matter of accepting that basis. The others were already satisfied, for so far as I am aware, not one of the others had the slightest thought that an or-

ganization had been formed there.

When we came to Presbytery, and these resolutions were produced, then the matter came out, that were explanations in connection with it; because, as we understand those resolutions, I confess, we were yery much like the Moderator said he was, — startled. We were startled, when we heard those resolutions introduced by a member of the Committee, who we had understood had heartly approved the basis of agreement; and when, as we understood (and as the gentleman

says he believes we were sincere in our convictions), the matter was settled in the Judicial Commission, and we thought we had received the right hand of fellowship. We were startled at this breach of faith, as we considered it.

We then held to the view, that there were understandings and explanations made, when we accepted that basis. And at this point I would like Dr. J. W. Sproull, as part of my speech in rebuttal, to state, whether I did not make objection to that third item, as to not propagating my opinion; and if he did not, make to me the statement, that I have asserted in this Court, that a committee had already been appointed, of which Dr. Willson was the chairman, to prepare a chapter to be added to our testimony, defining the orderly way of propagating opinions, and that we were to hold our opinion in reserve, until the orderly way was determined.

Dr. J. W. SPROULL: Yes, that is correct.

Rev. E. M. MILLIGAN: Now that was the only point in that entire basis, that I took any exception to. Here were truths that I believed in. However mistaken I may have been in my opinion, I was sincere in the conviction that this was the truth of God's word. And I would not even for the sake of escaping the trial and the suffering I have endured for the last six months, bind myself not to open my mouth on what I believe to be the truth of God's Word. But with this understanding in that Committee, that our opinions were not to be propagated in any disorderly way, I was very glad to accept that basis, and settle the trouble.

When this Committee came in and introduced the resolutions, and when I heard the report of the Committee, it seemed to give Presbytery the idea, that we had engaged not to propagate our opinions; that we had given them up and burried them forever, true or untrue; that we had pledged ourselves that we would forever be silent on what we believed to be the truth of God's Word. There was the reason that I arose in the Court at that time, and withdrew my acceptance from the third item of that basis. I would not stand by that item with the Court having that understanding of it. If they would simply put in the words, "We agree not to propagate our opinions in any disorderly manner," that would have suited me. I would wait until this Synod in its wisdom had defined what was the orderly manner, and neither by voice nor pen would I have anything to disturb the peace of the church or to act in a disorderly manner.

Now this statement of Mr. Temple's came out at this meeting. There was a suspicion then, an organization had been formed; one of its members, its secretary, had stated that an organization had been formed. Well, there was talk among the different ones, and inquiry made, "Did you understand there was an organization?" "Did you?" "Did you?" And from all hands came the reply, "No, we did not understand

there was an organization." That was not the understanding of one of us at all. But here was Mr. Temple with the understanding that it was, and in his letter in which he reviewed the pastoral letter, (and I wish I had that here, because he states it very plainly), he says that is was simply his impression, it was his opinion, and the rest were not agreed with him in that opinion.

We now pass on to the time when Rev. J. R. J. Milligan came to be tried, and this will bring up the fourth point that they have to show the fact of the organization. They were trying to make Rev. J. R. J. Milligan accept. not the basis that he had accepted in the Judicial Committee, and the basis to which he still adheres, but they were trying to have him accept the only basis as it has been said that Presbytery prepared: and in this basis it was stated. "That we hereby acknowledge for we hereby declare) our withdrawal from the organization formed at East End. and express our sorrow for it."

I submit. Brethren, how could any honest man who never believed he was in an organization, who never dreamed that an organization had been formed, accept a basis in which he declares his withdrawal from an organization that never existed, and express his sorrow for being identified with something that had no existence, except in the opinion of one member who was there? How could he accept of that basis? Well, there was talk in Presbytery back and forth. I was suspended at that time, and had no right to the floor, no right to speak, but with the pleasure of the Moderator I gained the floor, and said that I thought I could make an explanation in this connection that would dismiss the misunderstanding that seemed to gather around this matter.

In the meantime Rev. J. R. J. Milligan had said that he had in his hand or in his possession, an affidavit from Rev. J. F. Carson to the effect that an organization never had been effected at East End. Now, here were contradictory statements, and one of the defendants says, there is a falsehood somewhere, and then he referred to my explanation. I rose to explain what appeared to be a contradiction, and I told them substantially what I told you, that there was a difference of opinion existing among some of the brethren that were at that East End Meeting: that Mr. Temple did believe that an organization had been formed, and had as an honest man, a man of veracity, stated what was his belief; but that he was the only one so far as I knew that had thought an organization had been effected. But, however, I was not disposed to dispute the point, because it had been incorporated in the minutes that an organization was formed.

Dr. GEORGE: Is the brother proposing to give the words he gave us at that Meeting.

Rev. E. M. MILLIGAN: As nearly as I can remember them.

Dr. GEORGE: I just merely wish to know whether you are

repeating your statements.

Rev. E. M. MILLIGAN: One member of the Court said, "Now that is candid." The Moderator at once arose, and asked me if it was in the preamble to the minutes or if it was in the body of the minutes. I think the Moderator will remember asking me that question. My reply was, "I do not know, for I have not seen the minutes." That was the statement that I made to the Court at that time.

Dr. McALLISTER: I would like, Mr. Moderator, that a very exact remembrance of this be kept before the Court: I want the Court to remember exactly what has now been

stated.

Rev. E. M. MILLIGAN: I will repeat it so as to impress it on the minds of the Court; that at this Meeting, when these contradictory statements were being made. I arose, and asked the privilege of making a statement with the view of clearing up the apparent misunderstanding that existed; and at that time I stated the fact that there was a difference of opinion existing among the members; in Mr. Temple's judgment an organization had been formed, but so far as I knew he was the only one who had attended that Meeting who thought that an organization had been effected; and that the rest of us were of a contrary opinion. One of the members of the Court said that that was a candid statement. The Moderator asked me if the fact of an organization being formed was in the preamble of the minutes or in the body of the minutes. and I told him I did not know. I could not answer that question as I had not seen the minutes. Now I desire the facts in regard to this falsehood that exists between us - -

Dr. McALLISTER: Give us the complete statement as you

made it before in regard to what you said further.

Rev. E. M. MILLIGAN: Suggest it and I will repeat it. Dr. McALLISTER: The statement you made in reference

to the minutes. - did you say you had not seen them?

Rev. E. M. MILLIGAN: I repeated that statement that I said. I did not know, that I had not seen the minutes. I repeated that statement. or at least I meant to, and thought I had. Now then this misunderstanding, this falsehood that is between us is simply because honest and truthful men have stated their honest and truthful convictions. If there was an organization formed at the East End Meeting, Mr. Temple is the only one who knew anything about it. There, then, are all the facts on which this matter of an organization rests. And in opposition to the opinion of Mr. Temple, and in opposition to the statement which he has incorporated in the minutes, that a permanent organization was formed at East End. in has been stated in this Court that the affidavit of one

honored member of this Court has been produced to the effect that he never knew of an organisation having been effected. There were also the statements, and there could also be the affidavits of other members of this Court. and of every man who had anything to do with that Meeting, that so far as they knew there was no organization effected. At the various meetings of the Pittsburg Presbytery the fact has been iterated an reiterated, over and over again, and Mr. Temple made some statements, that while he had that opinion, others did not agree with him. And we have stated, that while he had that opinion we did not agree with him in regard to that matter of an organization. Now, there are all the points of the secrecy and the organization before you, with all the facts pro and con. As to the matter of purpose, they tell you that the purpose was to destroy the church; that the purpose of that Meeting was to lead the church into defection.

Dr. McALLISTER: Mr. Moderator, let us avoid any complication. It is stated expressly, that they were not charged with the purpose of destroying the church; it is stated expressly that they were charged with the purpose of holding a meeting and issuing a platform; but it has never been charged, that the purpose or intention was to destroy the

church.

Rev. E. M. MILLIGAN: One of the memorials before Pittsburgh Presbytery read as follows.

Dr. MCALLISTER: This is a prosecution on a libel.

Rev. E. M. MILLIGAN: I am aware of that, and the memorials that were before Pittsburgh Presbytery were brought before this Court, to show what facts were here on which Presbytery had acted.

The MODERATOR: The speakers, however, representing the Presbytery, did not make as one of their points, that the purpose of the East End Meeting was to destroy the church.

Dr. McALLISTER: I simply bring that out to avoid any unnecessary argument. If he sees fit, let him go ahead with it. Rev. E. M. MILLIGAN: I will pass it and simply take the other fact that the Presbytery had to deal with, that the church was divided. Whatever might have been our intention, the church was divided. What are the facts in regard to this condition in the church? When the Presbytery met, was the church divided? When the Presbytery met, were the schemes if the church imperiled? When Presbytery met, was there one of the congregations under the charge of these young men in a disturbed condition? Well, I could answer for Parnassus congregation, and each one of the other brethren can answer for his own congregation. There was no trouble in Parnassus, not the slightest; Parnassus congregation would have contributed more than three times the money it has to schemes of the church, if there had been nothing but that East End Meeting, notwithstanding the trouble and misrepresentation that had been made of our position and of our action.

Just let us look for a moment at an illustration, which one of the speakers brought forward. The East End Meeting. he said, was intended. The formulating of that Platform was intended. But whether the destruction of the church was intended, the fact was, that the church was divided; and hence he claimed that we were responsible for that divided state of the church. Now, I maintain that the fact of an East End Meeting being held, the fact of an East End Platform being formulated, depends altogether of the use that was made of that Meeting, or the use that was made of that Platform, as to whether we were responsible for the result. I buy a gun. That is a fact. I might load that gun with heavy shot. That would be a fact. And I may stand that gun in a corner of room. That would be a fact. If some one comes along and discharges that gun. am I responsible for the results?

I admit the East End Meeting was a fact, and I admit, that the formulation of the Platform was a fact; but so far as any use we made of it is concerned, it was simply to correct misrepresentations. But did anybody else make another use of it? All you have to do, is to read the memorials. All you have to do, is to read the statements that were made through the church magazines, and then you will find out who fired the gun, that has disturbed the church. And I maintain, that is was not the men that were at the East End Meeting. I maintain that unless they can show that it was our act that has brought the church into this condition, we are not responsible, even though the fact of holding the East End Meeting and the fact of formulating its Platform, were both intended.

There are a great many things that I purpose to pass over. in order not to occupy too much of your time. It has been stated, that our opinions are antagonistic to. and destructive of the fundamental principles of our church. I am not going to argue that question. I am not going here to attempt to defend my opinions, because both of these defendants have already stated a plain truth, which I think is in the mind of every member of this Court, that with my private opinions you have nothing to do. If the defendants can show that we were using our opinions in a disorderly manner, that we were enforcing our opinions from the Platform, or through the press, and thus dividing the church, then that will be a point to be considered. But the mere fact, that some of the opinions which we have placed in the East End Platform are contrary to the position of the church, and destructive to her fundamental principle, as a church among the branches of the church of Christ, has nothing to do with deciding whether or not we are guilty of the heinous sin and scandal of following a divisive course. If we can show on the one hand, that these

are honest opinions, and that they were simply put forward in order to correct misrepresentation, — if others have taken those opinions to destroy and rend the church, I am not re-

sponsible for that.

I shall, therefore, pass over the statements that are made in regard to those principles in the Platform, but at another time, and under other circumstances. I hold myself ready to give a reason for the faith that is in me, and to defend the principles that I believe are true, or to acknowledge my error provided they are shown to be contrary to the Word of God, and to the standards of the Reformed Presbyterian church, to which I am bound.

There was one statement I made here in regard to the fact, that there was nothing before the Court from any of the congregations of the suspended ministers to give them any reasons to proceed against us. This matter was brought up, and the fact, that the name of one of the elders of my congregation was signed to that call was brought forward, and one member of Pittsburgh Presbytery stated, that he had a letter in his posession, authorizing him to sign the name of one of

my elders to that call.

If the Court requires it, I am prepared with witnesses; I am prepared with those who are in good and regular standing in the church, to prove that this same party told me that he was not in sympathy with that Meeting, that he felt that it was a mistake, and that although he attended the Meeting he only stayed while it was organized, and then went away. And therefore the fact, that this elder has a letter in which he authorizes his name to be signed to this call, does not affect my case at all. It simply places two elders against each other, and I would prefer to pass that whole matter by as a misunderstanding, rather than call on that elder to produce his letter here, and then to call the witnesses to prove that the other said what he said.

Dr. GEORGE: I think it is due to Mr. Dodds for me to say that he spoke to me before leaving, and said that he thought he was mistaken as to the purpose for which that letter was written to him, or at least it was written perhaps with reference to signing the call, but not received when the call had been sent away. However he said he had the letter with reference to the subject. I want to correct that, because Mr. Dodds himself stated it was with reference to putting the

name on the call.

Rev. E. M. MILLIGAN: The name was not there?

Dr. GEORGE: I could not say about that.

Rev. E. M. MILLIGAN: I am not certain either. When I returned from the east I know that Mr. Copeland said to me, "You will see that none of your elders were on that call." I have never seen the call myself, and I simply had that statement, and I believed that there was a mistake between these

brethren. I do not wish to call in question the veracity of the elder of my congregation, much less do I wish to reflect upon the veracity of elder John A. Dodds. I believe that in some way there has been a misunderstanding, and hence I would rather not call forward the witnesses to substantiate the statement I have made as to what Mr. Copeland told me.

And I think, at this same point it is due to Rev. John F. Crozier to say that the same thing is true with regard to Mr. Crozier and Mr. Copeland. Mr. Copeland stated his impression, and Mr. Crozier says he never used the word "commis-

sion," that he never named "commission."

Rev. J. F. CROZIER: I said that I never made the statement that you declared from that platform I did make to Mr. Copeland; I did not say that I did not use the word "commission."

Rev. E. M. MILLIGAN: In regard to this Committee?

Rev. J. F. CROZIER: No, sir; I do not know whether I used that word or not; I say I did not make the statement that it was a commission positively to Mr. Copeland. I do not know what I may have said to him. We talked for fifteen minutes.

Rev. E. M. MILLIGAN: I am simply stating that whatever Rev. Crozier said to Mr. Copeland, whether he used the name "commission" or "committee," he left the impression upon Mr. Copeland that it was a commission. He may not have intended to do so. And here again it was a misunderstanding. And, Brethren, I maintain that this simply shows how easy it is to misunderstand another person. And therefore we are not justified in trying to show, because of a misunderstanding, that ministers of the Gospel, that elders in the church of Christ, are guilty of stating falsehoods because they may disagree in regard to certain matters. So I dismiss that matter, and unless this Court demands it, I will say nothing more in regard to it; but I simply assert that I have witnesses to prove my statement.

It was stated here that the young men attempted to blacken the character and name of the elders who signed the call for the Elders' Convention. I appeal to any member of this Court, if they heard anything said against the elders who signed that call? If any man who stood here before you pleading his case said one word against any elder who signed that call, I did not. And I heartily endorse every word that was said in defence of the elders, and of the honor of the elders who have stood loyally by the church, and without whom the church would not have carried forward her

work so successfully as she has done to-day.

But what was the statement made? Why it was in regard to the person who wrote the call for the Elders' Convention; that was all. It was simply the person who put in that call those statements that are absolutely opposed to the truth.

It was with reference to the call that the language was em-

ployed.

I maintain that when you place the two documents side by side—the East End Platform, with its plain statement, that its design is to correct misrepresentation, and the call for the Elders' Convention, with its statement that we organized "to lead the church to disregard her solemn Covenant, and to forsake her sworn allegiance to Christ, her King, as is openly declared in their published Platform"—I maintain that any man, who would write such a statement as that, has an utter disregard of truth, or else is a man who writes a great deal without heeding his words, without thinking of what he is writing.

Now it was against the person who wrote that call and who stated such facts in the call without any evidence; it was against such a one, and such a one only, that we have said one word in this connection. I pass on to the point that we have made, that we believed that there was something of a conspiracy to trap us, or some motive—we did not assign a motive—although if this were a criminal court we might proceed to assign several motives, but we did not do that. We simply had evidence, or reason, to believe that there was a wheel within a wheel, and that as a result of this work rather than anything we had done, the Court was carried along and forced to take the steps that it did.

In regard, then, to this matter of the Commission I wish to say a few words. And I will say here that, if these brethren had been willing to admit that they had misunderstood us; if they had not been so anxious to prove falsehood and to prove crimes upon us.—I would have been willing to accept in all sincerity the explanations they made regarding this commission-committee business: but when they are suspicious of us, it looks as if we had reason to be a little sus-

picious of them.

Now let me show you the facts—the facts, understand—on which we justified the suspicion that the Minutes of Pittsburgh Presbytery had been tampered with. The first fact was that the Committe on Discipline in the first place reported and recommended that a commission be appointed. The second fact on which we justify it is the statement that the Minutes record that the Presbytery by motion changed this commission to a committee. There is no such motion on the Minutes of Pittsburgh Presbytery. No such motion as that is to be found on the Minutes of Pittsburgh Presbytery, signifying this change.

Dr. GEORGE: To avoid getting too far into this. I want to ask if it was not read here in the Minutes that "the report

was amended and adopted."

Rev. E. M. MILLIGAN: Yes, sir; that is a fact.

Dr. GEORGE: Does not that cover this?

Rev. E. M. MILLIGAN: No. sir. Because there was a sixth item in the report of the Committee on Discipline which was stricken out, and the simple fact that the report was amended, might apply to that sixth item, and not at all touch the question of whether there was a change from a commission to a committee. I am stating this now not to fasten any suspicion upon you, understand me, but I am showing you the facts that were before us to justify that suspicion.

Dr. GEORGE: Mr. Moderator, I have gone over this ground once. I do not wish to be put on my trial here again with regard to this Minute. If there is a suspicion awakened in the mind of the Court on that subject, I am perfectly willing to have it reviewed, and to review it again; but I give notice that I do not consider it, after what has occurred in this Court, the proper thing that a line of evidence of that kind should be submitted, and compel me to go over the ground once more. If the brother feels he is under the necessity of doing it. I am certainly willing to do it.

Rev. J. S. T. MILLIGAN: The matter is a matter of fact that is necessary to be discussed. While a fact, it is intimated that the young men do not propose to urge it as a matter of tampering, or anything of that sort, but they wish to justify themselves in regard to the suspicion that they admit they do entertain, and I think have a right to present the fact.

Dr. GEORGE: I simply say again, it is a question of personal privilege. If this Court is willing to put me on trial again, and listen to the evidence pro and con, of course I am willing, after what has occurred, that you shall hear it all.

Rev. J. S. T. MILLIGAN: Brother George has a right to

reply to it.

The MODERATOR: The speaker, of course, has a perfect right to give the reasons for the suspicions that were in their minds. The question that Dr. George raises, however, is simply that after having gone over the matter and presented the evidence, showing just the real state of the case, it is not

a thing he desires to go over once more.

Rev. E. M. MILLIĞAN: I do not think that Dr. George need to go over this again. I do not charge it upon him. I do not say now that it is even a suspicion in my mind. I am simply showing the facts on which our suspicion was based. Dr. GEORGE: Mr. Moderator, if my brother thinks it important to his case, I raise no obstacle in his way. I simply am willing that he shall state the facts if he thinks it best.

A MEMBER: Was not that charge withdrawn by Mr.

Reed?

The MODERATOR: Mr. Reed withdrew his suspicion. Rev. E. M. MILLIGAN: I am perfectly willing to pass this

matter by, although without calling up the facts that were before us, that justified this suspicion. I will make the point.

and the only point I intended to make, by calling them up, which was this: That there were presented to us facts, well substantiated, that gave us far greater reason to believe that the Minutes of Pittsburgh Presbytery were tampered with than any evidence that was ever before Pittsburgh Presbytery to justify their suspicion that we had followed a divisive course, or that we were guilty of a heinous and scandalous sin.

Dr. GEORGE: Did you say you are in possession of facts?

Rev. E. M. MILLIGAN: Yes, sir.

Dr. GEORGE: Let us have the facts.

Rev. E. M. MILLIGAN: They are not facts that will prove that you tampered with the Minutes—

Dr. GEORGE: That would justify a suspicion on me, and

would not prove it?

Rev. E. M. MILLIGAN: Yes, sir.

Dr. GEORGE: I want to say that there is no fact that would justify a suspicion on my character that will not prove it; and the fact that justifies a suspicion that I tampered with the Minutes of Pittsburgh Presbytery, must be a fact that is in the nature of proof.

Rev. E. M. MILLIGAN: I say facts that are of the nature

of proof

Dr. GEORGE: Submit them.

Rev. E. M. MILLIGAN: The first fact that was before our mind that justified that suspicion was, that a commission was recommended by the Committee on Discipline. 2. The second fact was, that the Minutes of Pittsburgh Presbytery do not record a motion to change the commission to a committee, although that change might have been made, and I do not deny that it was made; if so, it was in the simple statement that the report of that Committee was amended and adopted. 3. The third fact was, that many of the members of the Court were ignorant of any change having been made, even though it was done by Presbytery. The minister who was chairman of the Judicial Committee was ignorant of it until he went to that meeting, and he even constituted the body as a commission, and other members of Pittsburgh Presbytery and other men and women who attended that meeting as witnesses, were of the opinion and firm conviction that it was a commission, and they knew of no change having been made. 4. The fourth fact that would point to and justify a suspicion was, that the original report of the Committee on Discipline never went into the hands of the clerk. It has been stated that it was offered to him. Very well. do not deny that. But we do not know this fact: we did not know even that the report was offered to him until we heard it the latter part of last week stated on this floor. Hence the fact was there, that that original report had never gone into the hands of the clerk. 5. The fifth thing was the fact that this word 'mittee" after 'Com.'' was written in lead pencil, suggesting to our minds the thought at least that when it was determined to make this a committee rather than a commission, in order to make everything harmonious, 'mittee' had been written on the record. 6. The sixth thing was, that, so far as we understood, the power of a commission was retained by that court. As we understood it, that court was empowered to settle the difficulty, to settle the whole trouble, to prepare a basis of settlement; or, in case they could not agree with the young men, to formulate libels, and cite witnesses, and call us to trial. Now these were the facts that were before our minds. The explanation of Rev. Dr. George in regard to many of these facts was not before our minds. We never heard of one of these explanations until we heard them stated by himself on the floor of this Court.

Brethren, I submit to you that these facts, without any explanation from any one, did justify a suspicion that some one was tampering with those Minutes, that some one was determined to carry out a plan which we believed had begun to show itself when we were trapped into making statements of our connection with the East End Meeting, and our helping

to formulate its Platform.

Rev. J. GALBREATH: Is it proper for Mr. Milligan to be permitted to continue in this line, after it has been so often stated that Presbytery designed a committee and not a com-

mission?

Rev. E. M. MILLIGAN: Mr. Moderator. I stated to this Court that I did not reiterate the statements with any design to incriminate Dr. George; that I did not repeat them with any design to intimate that the suspicion still lingered in my mind. That was not my intention. I was simply reiterating this to show how the facts that were in our minds previous to the time, when we heard Dr. George's explanation, justified the suspicion that was there.

Dr. GEORGE: Let me ask: Were these suspicions in the

mind of all of you that Mr. Reed brought out?

Rev. E. M. MILLIGAN: I only answer for myself: they were in my mind.

Dr. GEORGE: And Mr. Reed spoke for the rest of you, or

represented the others of you in making those charges?

Rev. E. M. MILLIGAN: I will state this: that I did not know what Mr. Reed was going to say; Mr. Reed did not know what I was going to say. We have not been consulting with each other in the matter, nor conferring, in regard to any statements that he would make. If Mr. Reed had not made the statement I should have done so.

Dr. GEORGE: Mr. Moderator, I desire to ask Mr. Milligan whether the general understanding was that the statements

should be made by some one?

Rev. E. M. MILLIGAN: I would answer. Mr. Moderator,

that I have already stated that there was no general under-

standing existing among the young men.

Rev. J. R. J. MILLIGAN: I want to say, as one of them, that, so far as this is concerned. I did not know one single point that any of the others had. Nobody is authorized here to make a single statement for me.

Dr. GEORGE: I wish to ask one other question.

Rev. J. S. T. MILLIGAN: I do not think you ought to ask for the privilege of asking him to commit the others in regard to an agreement as to their prosecution of this matter.

The MODERATOR: He wishes to know wether the speaker

does represent the others.

Dr. GEORGE: I understood him to so commit them to it. Rev. J. S. T. MILLIGAN: They are pretty talented young men; but recollect, we have got the ablest men in the church on the other side. I hope they will give them a fair chance. Dr. GEORGE: It is not a matter of whether a man is able

Dr. GEORGE: It is not a matter of whether a man is able or otherwise; when he is being tried as I am, he has got some

privileges on this floor.

Rev. J. S. T. MILLIGAN: I think that is entirely withdrawn, so far as Brother George's motive is concerned: it is only with reference to things that were on their mind. They want to justify themselves in regard to the suspicion that they had under these circumstances.

Dr. GEORGE: They will have to submit a good deal

stronger evidence than they have yet.

Rev. J. R. J. MILLIGAN: I understood the other day that after Mr. George and Mr. Reed had made their statements, Mr. George made a statement which, I think. I will correct; that he understood, or gave me to understand that he thought, Mr. Reed was speaking for all of us. I want to clear myself from that, and that is the reason I rise on this occasion: I do not want it to get into the mind of Mr. George, or into the mind of this Court, that there is any conspiracy here at all. Now, I think, I have the right to make that statement.

Rev. W. L. C. SAMSON: I rise to a question of privilege. I notice that Mr. George said. Mr. Reed spoke for all of us. I want to say for the benefit of the Court, that I never heard of that idea until I heard it advanced by Mr. Reed. I did not know there were such suspicious things in the Minutes until

I heard them advanced by Mr. Reed.

Dr. GEORGE: On the floor of the Court?

Rev. W. L. C. SAMSON: On the floor of the Court.

Rev. J. C. SMITH: Then it ought to be understood that the brother should not have said "We" when he spoke of these things: he should have said "I."

Rev. E. M. MILLIGAN: I have stated to this Court, that we are, each one, here representing ourselves: that we, each one, have our own speeches to make, and that no one represents another. If I say "We," I simply do it in a parliamen-

tary style, instead of using the personal pronoun "1." In regard to these matters that I have referred to, I have stated, and I will state again, that we didn't have the explanations which Dr. George brought to this Court.

Dr. GEORGE: You mean "We" or "I?"

Rev. E. M. MILLIGAN: I. I did not have the explanation before me that Dr. George submitted to this Court. I had simply these facts before my mind, without any explanation at all, and with these facts before me, while it did not fasten guilt upon any one, it did lead me to the suspicion that some one, whether it was one or more, was back of a plan, and back of a scheme, who did not hesitate to change the Minutes, if necessary, in order to carry out that plan.

I now pass on to a point made by the first speaker as to the matter of breach of faith. It was stated that there was a breach of faith on the part of the young men, and this statement was made as an offset or in connection with our charge that there was a breach of faith on the part of a certain member of that Committee. He tried to show that the breach of faith was first made by the young men. In regard to that he

called attention to three things.

The first was that there had been an agreement in that Judicial Committee not to say anything in regard to what transpired there. Let me correct the statement in part at least. We were sitting in that committee-room over in the Central Allegheny church, and while our conversation was being carried on, a number of the representatives of the press gathered around the church door. Some of them came in and knocked on the door. When we went out they desired some information for the papers. This fact was reported in the After we had reached what we believed to be a full settlement of the trouble, one of the young men suggested that we say nothing about it for the papers: that already the papers had done too much talking in regard to this matter; that already too much reproach had been heaped upon the church, and he suggested that we make no statement whatever to the newspaper representatives until it should come up in Presbytery. Now, that was the agreement we entered into: that was our understanding of that agreement. never understood that we were pledging ourselves not to say that this trouble was settled. Why, when I went back to Parnassus, several members of my congregation met me and were there with their right hands extended to rejoice with me that the trouble was settled. One of my elders was a member of that Committee, and had returned to Parnassus before I did, and had informed them that the trouble was settled. When we went out of that committee-room, here were half a dozen at least, of the members of the press, surrounding us and asking what had been done, if we had any statements to make, if we would give them anything to write up. Not one

word did they get from any of us. We told these men that we had no statements to make, that the Commission were inside, and for them to wait and see that Commission, and they would make any statements to them that they liked. And although these reporters, anxious to get some idea of news for their papers, quizzed us and plead with us, and asked, is this one here and is that one there (for they didn't know us as well then as they do to-day), asking our names and trying to find out, if they could not secure some information from some of us; there was not one of these young men that opened his mouth to one o these reporters. We made absolutely no statement whatever. We kept faith with that Committee in that matter. The next day I was just as much surprised as members of that Committee, when I saw in the paper in big head lines "Victory for the Liberals." But we had just as good grounds to suspect that some of the members of that Committee had given this information to the newspapers, as they had to suspect that we had given it. We had never opened our mouths on the subject. Remember they cannot truthfully, and they said they did not, bring any proof to this Court, that we did break faith in that matter of giving out the result of that meeting to the newspaper. It is merely suspicion. It is merely the fact that there was an item in a paper. One newspaper-man, I remember very well, said, "Well, you do not look very sorry; you do not look very sorry." Perhaps we didn't look very sorry. We did not feel very sorry. On the other hand we were rejoiced to think that all this dark cloud, that was settling over us, had passed away, and we were rejoicing when we left that Committee. And this young man, for the simple reason that we did not look very sorry, inferred that we had gained a victory, and he so wrote it up in the paper, but without any authority from us, and without one word from any one of these young men who had left this Committee. Here again part of their proof that we broke faith with them, rests on unsubstantiated newspaper reports. It is like all the other evidence that they have brought, of a damaging character against us; simply newspaper items that have no verification back of them at all.

The second thing was that we had misrepresented what actually occured in that Committee. Not only had we broken faith, by giving it out in the papers, but we also broke faith by stating falsehoods in regard to what transpired. Well, I submit, Brethren, if not one of us opened our mouths on the subject, and if the newspaper stated falsehoods, we are not responsible for them. Whatever that newspaper reporter wrote up, he wrote it purely and simply on his own account, and not from anything we stated to him. Consequently we

are not resposible for that.

The third thing that was brought before you, was an editorial on the cover of our Banner. I think it would be perti-

nent to ask right here, how in the world this could be brought forward as evidence to justify the introducing of the resolutions in Presbytery? According to the statement of the brother, the Banner was not received in Pittsburgh until November 7th. His resolutions were introduced November 4th. Now then supposing there had been a breach of faith so far as that article in the Banner is concerned, it did not justify the breach of faith, because he knew nothing of it, until three days after he had introduced his resolutions. gard to this, how are we going to account for it? Simply in this way: On my way from meeting that Committee I walked over to Pittsburgh, and I had some business to attend to. My father was anxious and worried through all these months, and he wanted to know as soon as possible what was done. I took a postal card and wrote him according to appointment, "We have met with the Committee, and this trouble has all been settled, and the right hand of fellowship has been extended to us." I sent that on a postal card to my father, and the next day my father received from some one, not from me, (and he does not know who sent him the paper). a Commercial Gazette with head lines in it, "Victory for the Liberals." Now he had my postal card that the trouble was settled, and that we had received the right hand of fellowship from this Committee. that they had said to us that we were misunderstood: and he had this paper before him. "Victory for the Liberals," and setting forth certain facts. With that evidence before him. he wrote the article hastily for the paper that was going to press, because the Banner was already in press and just about to be published, and he could only get it on the cover. Without a great many facts before him, he wrote that article and put it in the Banner.

I maintain, with these facts before this Court, it proves that the young men did not break faith with that Committee in any particular. No, not in one particular did we break faith with them. When I went to Parnassus on the next Sabbath, when I spoke to my people I simply told them, that the trouble had been settled: that I was very glad of it, and the matter dismissed with that. I never referred in public to what the settlement was further than that a settlement had been made. Whatever responsibility my father may have for writing that article, for misrepresenting the facts, it is for you to say. So much for the breach of faith on the part of the young men.

Then he tells us in justification of his having introduced that resolution not only that we young men had broken faith with them in this particular, but also because these articles that had been written in the papers had aroused opposition in the church, and that there were some who were feeling that the case of Presbytery had been given away; and, consequently, he introduced these resolutions in order that our agreement might go through. If that was the reason, I think

that when he met us in Presbytery on that day, he might at that time at least have come to us: he might at that time have asked us. if we had anything to do with that newspaper report; or he might have told us the state of feeling in the church, and in the Presbytery, awakened by this article, and that these resolutions were going to be introduced for this reason. If he had done that, it might have put the thing in a better light before the young men, but he did not. Not a word was said to us, and we came to that meeting of Presbytery, amazed in the first place, that the meeting should be called at all: and then, almost the first thing we heard, was this member of the Committee getting the floor and stating, that not as a member of the Committee, but as a member of the Court, he had some resolutions to be introduced, to be considered in connection with this basis of settlement.

My Brethren, we were startled. It simply made me feel, so far as I was concerned at least, that there was bad faith, and that there were those who were determined to prevent anything like a peaceful settlement, and to not end their work until they had driven us from the church of our birth, and the

church in which we were carrying forward our work.

It has been said, that he had a right to introduce these resolutions before rather than after the report had been acted upon. But I beg to differ from such an opinion as that. If the Committee had come there and presented their basis of settlement, and had stood by it and had spoken for it, and had sought to put it through Presbytery, used their influence. used the power of their eloquence to put that settlement through Presbytery, and Presbytery had rejected it, and then Dr. George had gotten up. and introduced his resolutions, in order to still carry the settlement through Presbytery, there could no bad faith have been charged upon him or any one else. But the very fact, that before Presbytery had a chance to say whether that settlement was satisfactory or not, before there had been one word spoken pro or con here came in these resolutions denouncing the East End Meeting, denouncing our principles as an onslaught on the church, but intimating that since we had agreed to not propagate our opinions all further proceedings be stopped.

I submit, it puts a false construction on what we had done, and it made us feel at least that these resolutions would continue the misrepresentations that were already rife throughout the church; and we felt we could not afford to allow our characters to be thus trifled with, and maintain an ignominious silence. We would not do that, and hence we spoke in de-

fence of our characters.

Now, again the assertion was made, that we did withdraw our assent from that basis of settlement. Again, I assert that I never withdrew my assent from anything but the third item,—the matter of the agreement not to propagate our opinions.

And I have already placed before this Court my reasons for withdrawing my consent from that. And the fact that we young men before the trial began, brought forward a basis of settlement, the first two points of which were substantially the same as the basis submitted by the Judicial Committee; and the first two points would have been identically the same, if we had had before us the basis offered to us by the Judicial Committee, but we didn't have it, and we wrote that basis as we could recollect it. as we had it in our minds, and tried to conform it as closely to what the Committe had offered us as possible. Dr. George says he cannot see any difference, and he cannot see why we changed a few words. It is simply because we did not remember exactly what those two items were. But then the change was made in the third item, and there we simply introduced the additional words, "In any disorderly manner." That was our understanding of the basis which he had accepted in the Judicial Committee. That was the understanding upon which we were willing to stand, that we would hold our opinions in reserve, until Synod should define the "orderly manner." And in the meantime, and at no time, would we propagate them in any disorderly manner. Now, Presbytery comes, and they say that they did not reject our basis. No; they respectfully received it, and amended and amended it, until it was their basis word for word, with something additional in regard to withdrawing from the organization formed in the East End, and expressing our genuine sorrow for it.

Brethren, we did assert, and we are willing to assert again, and we asserted during our trial several times, that so far as that East End Meeting is indirectly to blame for any trouble or any misunderstanding, or any dishonor that has been heaped upon the church of Christ, we are sorry for it; we regret it. That statement was made at our trial. But the fact that they wanted us to admit in the trial, was that we were sorry for having attended the East End Meeting, as if that was a crime. That we were sorry for having belonged to an organization, when we never belonged to an organization, and when I never gave my consent to any organization; and I cannot, as an honest man, say that I am sorry for that for which I am not sorry. But I do regret most sincerely so far as the East End Meeting is concerned, or so far as the East End Platform has been indirectly connected with or the occasion of any misunderstanding or trouble in the church.

When Presbytery offered us this revised basis of theirs, what were the objections? One of the members of the Court, and the one who was the leading prosecutor at our trial arose and said, "Mr. Moderator, in offering them this basis they must accept it without explanation; their answer must be "yes" or "no." Yes or no was the alternative, and we said, "no." And, I submit, there is not a member of this Court

under the same circumstances that would not have said precisely the same thing. We were not allowed to ask a question in regard to it. We were not permitted to make an explanation. There was that basis agreeing not to propagate our opinions, and we were not even allowed to ask if it was in an orderly or disorderly way. It was simply, "We agree not to propagate our opinions." "Yes or no." "No" every time with me.

But now as to the statement that was made here that certificates of standing would have been given us to another denomination. What the first speaker said in regard to us having proposed such a thing on the floor of Presbytery is true. He did that. But what the speaker said, that it met with very little opposition, I think is rather questionable. When that resolution was introduced it called forth the hotest kind of debate on the floor of Presbytery. Members of Presbytery debated that question as to the propriety of it; members of Presbytery all over the house in different directions arose and said they did not think that was the proper thing to do. One man who had prosecuted us said that if he was in the place of the young men he would rather be tried than at this stage of the proceedings accept a letter of standing to another denomination.

It was because of this debate and wrangling that was going on as to whether Presbytery should or should not offer to us these letters of standing that I arose and said, "Mr. Moderator, I may able to save some valuable time to this Court by stating, that so far as I am concerned, while I would be very much pleased to see this motion pass in order to see what kind of a letter of standing the Presbytery would give us to preach to other Christians, when she would not permit us to preach in the name of the Lord Jesus Christ to members of the Reformed Presbyterian church; while I would like to see that letter given to us, yet I for one would not accept it." I said that as we had come to this point I would stand my trial, and that I would demand either to be proved guilty of heinous sin and scandal or else that all suspicion should be removed from my character. At that point the party who introduced the resolution withdrew it, and the debate ceased. But I am doubtful whether that offer would have gone through Presbytery, even if I had not declared positively on the floor that I would not accept of a letter to another church under the circumstances.

One of the speakers referred to the fact that I had excepted from my complaint of injustice and wrong certain ones of Pittsburgh Presbytery. In regard to that I believed the majority of Pittsburgh Presbytery, and do believe the majority of Pittsburgh Presbytery, to have been sincere in every thing they did. I said then, and I am willing to repeat again, that I did not feel in any sense that a majerity of the members of

Pittsburgh Presbytery were actuated by any feeling of malice or by any desire to do me an injustice, but that they were acting honestly, and that when they voted to suspend me they did it in the fear of God, and believing they were doing God service. I referred especially to Dr. J. W. Sproull, and the speaker called attention to the fact that he was on the Committee on Discipline, that he was chairman of the Committee to settle this trouble, and that he also voted to sustain the libel against us. Now I would like to ask Dr. J. W. Sproull to make any statement that he likes in regard to what was said or done at that time.

Rev. J. W. SPROULL: I believe I will avail myself of the opportunity, for brother R. J. George spoke to me on the very same question; and may be for aught I know (for I have no knowledge of what the speaker's motive is) for the very same reason. I had not intended to say anything about this. but this opportunity being afforded. I will do so. My brother asked me if I understood his allusion as to in any sense reflect upon me. Some members of Synod had rather understood it was such; and some members have spoken to me in the same light; of course, I said. I did not so understand it. I would not for one moment imagine my brother would be guilty of an act of that kind. His idea was to show that I, who was endeavoring to act fairly, had agreed with other members of the Committee and the members of Presbytery, in what was done.

Dr. R. J. GEORGE: And also, that the Presbytery had put

you forward as prominent in the case.

Dr. SPROULL: I state correctly what you intended? Dr. GEORGE: Yes, only I also brought to view that you were put forward by the Presbytery itself as a leader in the

Dr. SPROULL: You brought it forward for that purpose only?

Dr. GEORGE: Yes, that is correct.

Dr. SPROULL: That is correct. Now as reference has been made to me, you will excuse me if I go a little out of the way. It gives me the opportunity of making an explanation. A number of the members of Presbytery and friends have spoken to me about it. It is no secret that the family to which I belong, and the family to which my brother belongs, have never been on as cordial terms, as many other brothers. And I have no doubt when this case came before Presbytery when he heard my name mentioned, he wondered whether I would keep quiet, or whether I would avail myself of the opportunity to redress real or imaginary grievances. When he saw I did not keep quiet and did not avail myself of the opportunity, but tried to act fairly, although acting in a way he disapproved of, yet he felt it right, and fair, and a matter of kindness, to show that he appreciated my efforts in endeavoring to act fairly, even though he condemned me as he

did, with the other members of the Committee or Commission in what they did. And I will say here now that I looked upon, in the very same light, the kind reference of Brother George in the beginning of his address. The kind reference made by the different persons who were tried at the close of the Meeting of Presbytery towards the members of Presbytery who had been their prosecutors was appreciated. And I will say to the brother — for I have never spoken to him as to whether I appreciate it or not — that as such an act, under the

circumstances, I appreciate it.

Rev. E. M. MILLIGAN: When I made that reference to Brother Sproull, I was complimenting his heart, not his judgment. I did take exception to his judgment. I felt that he had erred; but what Dr. Sproull brought out illustrates what I intended by that. His course right straight through convinced me that he was acting conscientiously, that his heart was right even though he differed from me in this matter; and I believed when he voted to suspend us he did it from sincere motives and from sincere convictions. But the reason that I especially referred to him was this: Because in the resolutions which I have already referred to in my opening address, and at every step of the proceedings, Dr. Sproull was trying to settle this trouble. There was one instance of it in which he wanted the whole matter brought up to Synod. Then I remember that when these resolutions were introduced, and their flame had started up again, that Dr. Sproull was on the floor stating that these young men misunderstood those resolutions, and that that was the cause of the trouble. And I remember later again, that Dr. Sproull was the man who when our congregations came in with petitions that we be permitted to preach until Synod. on the floor offered a resolution, and it was seconded by Dr. H. H. George, that in answer to those petitions these young men be sent back to their congregations to preach to them until Synod. And I remember also that when Presbytery proposed the resolutions that these young men who had observed the sentence of the Court - if they could say that they had observed the sentence of the Court - should be sent back to their congregations after a month or so of suspension—I remember that I was the only one who could say and did say candidly to the Court that I had never opened my mouth anywhere except to pray at the bedside of the dying. Was the motion to allow me to go back and preach to my congregation offered? Dr. George was the one that offered the motion. But he sat down until Dr. Sproull said to him, "E. M. Milligon has observed the sentence, and you will have to make that motion in regard to him." Dr. George said, "Yes, that is so;" and he comes up and offers the resolution; but not until Dr. Sproull had said to him that I observed the sentence. Now, I do not say this in order to charge anything upon Dr. George in this matter. But, brethren, we were in the heat of conflict. Remember that I had been suspended from the privileges of the church of Christ for six months. And when I saw these things they looked suspicious. Whether Dr. George meant anything or not, it looked to me wonderfully like he did. Dr. Sproull was the man who at that time suggested to him that in justice this should be offered to me, and then when it was offered —

Rev. D. S. FARIS: I do not see any use in these men taking this oportunity to touch one another up. We want to go by this discussion of personal matter. I feel tired out with

this sort of stuff.

Rev. E. M. MILLIGAN: I am tired too, brother, and so I will pass that. In regard to the second speaker, although I have something like fifteen or possibly twenty pages of notes I will pass over the most of them; and I will be excused if I look hastily at notes in order to select here and there a few things that I feel I must reply to. There is one fact that I won't stop to argue, but simply want to call the attention of this Court to it. The speaker referring to the libel under the point, "Is the complaint against Pittsburgh Presbytery of injustice and wrong proved," takes up the libel and argues that the admissibility of that libel is right, because the character of the accuser was above suspicion. And who was the accuser? The Presbytery itself, he tells you. But then further on when he comes to argue the case of an appeal he takes the position, that Presbytery is not a party. Presbytery the accuser, and Presbytery not a party!

Now, I deny that Presbytery was the accuser; and I think there has been loose thinking here. Presbytery was the Court and the accuser should be the records of Presbytery. The records of Presbytery do declare that we made statements thus and so. There was the accuser, and not Presbytery. So that he is right when he says that Presbytery was not a party to this case, but he is wrong when he says that Presbytery was the accuser. The libel therefore was not admissible, because the accuser, the records of Presbytery were not there, and there were no witnesses.

There is a matter that he referred to in regard to the relevancy of the libel, and either I and a good many others misunderstood the speaker during the trials at Pittsburgh Presbytery, or else we have greatly misunderstood him in his address to this Court. In regard to the relevancy of the matter, in the first trial when the statement was before the Court as to the libels being relevant, I rose and argued against the relevancy of the libel. The Moderator at that time explained to me, that the relevancy of the libel depended on the charge. He asked me if devisive courses were not relevant to censure. I admitted that divisive courses were relevant to censure if proven. But my idea was, that the counts in the libel must

establish the charge of divisive courses: and unless they did the libel was not relevant.

For instance a man might be charged with the crime of murder, and it is stated that he was seen walking, chasing a chicken over a ten acre lot with a knife in his hand. This is the fact to establish the crime of murder. I would maintain that libel was not relevant, although the man was charged with murder.

And so I maintain that when the charge in that libel was following a divisive course, and the only count in the libel to sustain that was, attending a meeting in the East End and formulating a platform of principles, that these do not constitute the crime of following a divisive course, and therefore the libel was not relevant. But when the Moderator explained to me that relevancy referred to the fact of divisive courses being censurable, then I sat down. If that was the relevancy I did not so understand it; but I submitted to the Moderator's decision at that time.

However, note in the next trial one of those who was placed at the bar of justice was not so easily to be satisfied. The same question was brought up in regard to the relevancy of that libel, and the Moderator again gave his decision that the relevancy was established because it asserted the crime of divisive courses. At that point the speaker asked him to be kind enough to have his decision recorded, but this was declined. He said that he had given no decision in the case; that he simply read from the Book, that if the charges be censurable, the relevancy is established and the charge was following a divisive course. It was from that the appeal was taken, and he complained, with all those who joined with him.

But when he comes before this Court he says, we could not argue on the relevancy of the libel because it was against the principles of the church. Now, I maintain, that is an entire shift of base; it is an entirely different statement from what was made at our trial. But what was the grounds of it? We could have discussed the relevancy of that libel, and we could discuss the relevancy here to-day, without once touching the matter of the principles of the church, and without arguing against a single principle of the Testimony, or of the Bible. The question to decide the relevancy would have been this. "Would the fact of the Meeting at the East End, would the formulating of a platform of principles, some of which were contrary to the principles of the church; would the fact of having circulated that Platform, and having made an acknowledgment of it in the Court, constitute the crime of fol-lowing a divisive course?" We could have argued along that line without once either attacking or defending the principles of the church, or the principles of our Platform. But no, we were denied any right at all to argue on the relevancy of that libel. The question was simply determined that it was relevant, because following a divisive course was a censurable crime.

Again, the speaker referred to the fact that the Minutes were correct so far as he knew, excepting in the one instance that he referred to. Now, I have already called attention to the fact that on two several occasions in the Pittsburgh Presbytery I arose and desired to have that Minute corrected which stated that I had withdrawn my assent from the basis of the Judicial Committee, and it was even put to a vote of the Court, whether the Minutes, as they were, should continue, or whether the change should be made, and it was voted down. When I explained exactly what I had said and what I desired done on the floor of Pittsburgh Presbytery, and asked them respectfully to allow the Minutes to be changed so that I might be truthfully represented before the church, the Moderator denied the request, and it was put to a vote, and the Court sustained the Moderator, and the Minutes of the Pittsburgh Presbytery stand to the effect that I withdrew my assent from the basis; and I have never been able to have that change made, although twice I have sought it.

There is another point, which I wish to touch upon before leaving this matter, and that is in regard to our complaint that our case was prejudged; that members of the Court declared that we were guilty, and declared their readiness to suspend us, before they had heard the case. I submit, that this is cause of complaint. The fact that members of the Court did assert on the floor of the Court openly, before our trial, that they were ready then to suspend us,—and the fact that some who had attended the Elders' Convention had declared there that 'our heads ought to be chopped off'—proved that they prejudged our case, and came to that trial with the determination to sustain any charge against us along

the line of this libel.

Now, while there was an excuse offered for these persons, the case was introduced of two members of the Court who it was said had voted substantially on their own case because they were identified with that Meeting, and that this was a case not only of prejudgment, but it was an outrageous case on the part of the men, who were guilty of the same crime in voting to acquit us. Although one of the individuals referred to, has been too modest to make a statement himself, yet I am ready to say that while the East End Platform was formulated by a committee, and unanimously agreed upon by a committee, and while it was unanimously adopted by every one who attended that East End Meeting. Mr. A. McClurkin never had anything to do with the East End Platform, or with its formulation. But the other speaker, who did admit on the floor of Presbytery his attendance at the East End Meeting, and who did admit that he had a hand in formula-

ting the East End Platform, I maintain, was a perfectly competent person to vote on that case. Is it possible that there is not a distinction to be drawn between one whose mind is made up because of the facts, and a person whose mind is made up on suspicion and hearsay testimony? A person who was at the East End Meeting, a person who knew all the facts in the case, had the very best opportunity to know just exactly what was done, and how much guilt there was in it, was a very competent person to state whether or not that libel was just, that charged us with the crime of following a divisive course.

If a member of this Court knew anything in regard to that East End Meeting, or Platform, our own Book of Discipline says that he should not allow that knowledge to influence his decision, but he should go before the Court as a witness and tell what he knew. How did that incapacitate him from voting on the case? Suppose this member should state, as he did state before the Court, all that was to be known. He had been a witness. He had certified to the Court that he was there, and that he helped to formulate that Platform, and that he adhered to its principles. Now, is not he a competent witness to sit in the Court and vote on that case? I maintain, that is an entirely different thing from a man who knows nothing except from hearsay, except from slanderous statements that are flying around through the press and magazines, and who, before he knows anything of the facts in the case, comes with his mind made up to vote one way or the other. The cases are not parallel at all. While in the one case we are right in appealing from prejudgment because of those who were ready to suspend us before they heard our case, in the other case the men were perfectly justifiable in voting "Not to sustain," and "Not guilty."

There is one thing, however, that I must speak of in this connection. The speaker takes occasion while justifying the conduct of certain individual members of Pittsburgh Presbytery during the course of our trials to contrast what he calls the sorrow and tears that were manifest in Presbytery, with the levity that was manifested on the part of the young men; and he refers to the fact that while the sad proceedings were being carried forward, two honored members of a sister denomination, who were at that time in our own denomination, were sitting there, joining with us in this kind of levity. My dear Brethren, I deny that in toto. In the first place I am perfectly free to say that during that entire trial from beginning to end Dr. McClurkin was not near us. Dr. McClurkin occupied a place in the rear of the church, and only once was he seen up in front and that was when A. W. McClurkin had declined the authority of the Pittsburgh Presbytery. At that time he came up and consulted with him just for a moment, on what I do not know, and immediately retired. With that

single exception that man who has been assailed openly on the floor of this Court, and upon whom reflections have been cast of a nature which I feel are unjustifiable, was never near

us during any part of the proceedings.

But in regard to levity on the part of the young men I deny There was no unseemly conduct: there was no levity. It was referred to, that there was a kindly spirit, and I maintain, that during all the trials in Pittsburgh Presbytery there was a kindly spirit manifested. I maintain that with few exceptions the young men, who were there on trial, said nothing in an angry spirit; and though they may have said some things in the heat of the moment that were better not said, yet from the beginning to the end of that trial there was no anger and no malice exhibited on the part of these young men. They did sit there quietly: there may have been remarks passed back and forth between themselves that may have caused a smile; but not the nature of levity that is referred to or that the speaker desires this Court to understand there was. There was no frivolity. I maintain that it was a great deal better, and I am a great deal better satisfied that the speaker can say this, than that he should come here and say that, with anger, and wi h malice and bitterness, we had passed through that trial. If our pleasantness be an offence. then we were offensive.

Now it was stated that the condition of certain congregations referred to by this speaker, proved that we had followed divisive courses. I am only going to touch this point in this way: Remember that these congregations were not divided until after Presbytery got through with its work. Bear that in mind. Consequently what may have happened afterwards did not justify their course at the time. I admit to-day that our congregations are sadly divided and, I fear, some of them ruined; but nevertheless, our congregations were not divided at the time that Presbytery proceeded with its trial and proceeded to our suspension. The division in the congregations came, after many signers had come up to Pittsburgh Presbytery, pleading with them to allow us to preach to them until the meeting of Synod. Presbytery denied their petitions. And then certain ones in the congregation would justify Presbytery, and certain ones would condemn Presbytery, and thus strife was engendered in the congregations. Not from any divisive course that we had followed, not from any opinions that we had expressed, not from the East End Meeting that was held; but the divisive opinion arose as to whether Presbytery was justified in the course which she had carried on. And it is that question to-day that is agitating and disturbing the peace and welfare of the congregations of your appellants.

There was a great deal said in regard to what our opinions are, and what our position is, that at another time I will be

perfectly satisfied to reply to and state frankly what my opinion is, and what my position is. I do not consider that it has been fairly placed before this Court, and I feel that we have been misrepresented in the statements that have been made, and at a proper time I will be perfectly willing to defend my position and my opinion. However, I pass it with this simple remark: That, although a great deal has been said in regard to the character of our opinions, and so on, just bear in mind that the same speakers have told you, that with a man's opinions they have nothing to do: with our opinions they have nothing to do. So it is not a question before this Court to-day, whether my opinion is right or wrong, or whether my opinion conflicts with the standards of the church or not.

But if they have shown you that I used this opinion in such a way as to divide the church, if I have acted disorderly with my opinion, that will bear on the question. But do not allow your minds to be prejudiced on the matter of whether my opinion is right or wrong. Take their statement for it that that has nothing to do with the case, that they had nothing to do with that, and that you, dear Fathers and Brethren, at this time have nothing to do with the question of whether my

opinion is right or wrong.

There was a statement made, that if our convictions have changed in regard to the church, it was our duty to withdraw from the church; that we, as honest men, if our convictions had changed, ought to withdraw from the church. statement has not only been made on the floor of this Synod. but has also been circulated through the church magazines. I have just a simple word to say in regard to that. We must distinguish between a divine institution and a voluntary association. In any voluntary association you may make any terms and conditions that you like the conditions of member-For instance, somewhere I saw the case mentioned of a democratic club being formed. The person joining in that elub must profess democratic principles. Suppose he afterwards changes his mind and turns over to be a republican or prohibitionist; what is his duty in such a case as that? His duty is to withdraw from the democratic club. There is no question about that. That is a human organization, and the men who organized it, organized it on certain principles, and anybody who disagrees with the principles of that voluntary association, has a right to get out of it. But there is a vast difference between that and a divine institution. I am in the church of Christ by birth. I am in the church of Christ on condition of my relation to Jesus Christ, the Head of it. If I am a member I am a branch of that vine and I have a right to be in the church of Jesus Christ; and the mere fact that I may differ in opinion from an opinion that the majority may have. does not in the least deprive me of my rights and privileges in the church of Christ.

That whole argument rests on the right and justice of sectarianism. If sectarianism be right, if sectarianism be a Scriptural duty, then such a line of argument would be perfectly logical, and would be pertinent to the question. But I think that there are not many members of this Court who will argue in favor of sectarianism, or that will justify it in any case whatever. To do so would be to go back on the Testimony, and on the Covenant, which declares that the church is one, and ought to be one; and hence these sects and denominations, these branches into which the church of Christ is divided, have no justifiable existence, being all contrary to the Word of God. I maintain, that there is nothing in God's Word that will justify the head from refusing to recognize the feet, refusing to co-operate with the hands, or dispensing even with the uncomely parts of the body.

Hence this claim that we ought to withdraw from the church, if we do not agree with all her opinions, is wrong. The church is my home; the church is my birth-right; I am there because I have accepted Jesus Christ as my Saviour, and because he has formed in me a hope of glory, and because by being faithful I give my life to his service. That is my right in the church of Christ, and my right does not depend on whether I agree with a minority or with a majority

in an opinion that may be expressed.

I will take up just one more point and then I have done, and that is in regard to our appeal from the decision of the Court, finding us guilty, and the illustration which I used to show that our appeal should have stayed the proceedings at that point. It has been asserted that my illustration is an exposition of unsound thinking: and a specimen of sound, broad, philosophic thinking has been presented to this Court. But I ask you to look at that illustration again, and as you have it before your minds, I will use precisely the same illustration. A man is tried for more der. He is found guilty, and he appeals to a higher court. I maintain that at that point the sentence is suspended; that that court has no right to read to that man the death sentence and proceed to carry it out to vindicate the law. The sentence is suspended until the higher court decides upon the case.

The Doctor takes up this illustration to show you the unsoundness of it. He illustrates it in this way: He says that a parallel would be this: That this murderer, having appealed from this decision of the lower court finding him guilty, according to the idea of the young men, should be let go in order to carry out his murderous work. Now, where is the unsound thinking? Simply that the Doctor does not draw a line of distinction between the execution of the sentence and the taking of the necessary precautions to secure that man against doing any harm. The execution of the sentence is one thing; the taking of the necessary precautions to see that

that man does not continue to carry on bloodshed and murder until the higher court has passed upon his case, is a very necessary thing. I now maintain, that was the case before Pittsburgh Presbytery; we had appealed from their conviction finding us guilty. The sentence was "Suspension." Our appeal should have stayed the infliction of the penalty. But would Pittsburgh Presbytery be powerless? Ah, no! It would have been perfectly proper for Pittsburgh Presbytery at that point to have taken a pledge of us that in view of the fact that Pittsburgh Presbytery had thought our opinions wrong, had thought our opinions hurtful and destructive to the church, that we would not preach our opinions; that we would not send out opinions through the church either in her magazines, or circulate them through the country by the use of the papers or secular press, or preach them from her pulpits. That would have been pertinent, and that would have been Presbytery's right. That is, she could have done that consistently with her right. But I maintain, if the sentence had been tar and feathers, if the sentence had been the rack, if the sentence had been the stake-the same thing would have been done, that is, the execution would have been staved by our appeal, or else according to the proceeding taken by the defendants, the sentence must have been carried out and hence our lives even would have answered at the bar of Pittsburgh Presbytery before this higher court could pass upon the case. I maintain, that the appeal of the murderer from the decision of the lower court finding him guilty, stays the sentence. They only take necessary precautions to see that he carries his case forward, and that he is prevented from doing harm. If it is a mere civil suit, let him give bail; but in a case of such serious character as murder and these high crimes they simply keep him confined until the higher court has passed on his case.

So I maintain that that illustration holds, and that Pittsburgh Presbytery transgressed its authority when in the face of our appeal they proceeded to the execution of the sentence.

Dr. R. B. CANNON: We have now heard arguments on both sides. When the young men presented their case, the brethren answered it. When they speak now they ought to be held simply to what the representatives of the Presbytery brought out, and not be allowed to go over the whole ground again; and so when Presbytery comes to give their rejoinders, they must confine themselves to what is said in answer to what they said before, without going over the whole case. The MODERATOR: That is certainly the rule, but it

The MODERATOR: That is certainly the rule, but it seems, however, when you attempt to call any one to order,

they are within the rule.

Mr. RIJEY: The point I want to raise has been partly raised by Mr. Cannon, that is, I would desire to request, or whatever way you may put it, that the speeches be as brief as

possible. It makes confusion in the mind when the speeches are so long. Even Dr. McAllister's speech would have made more impression upon me if it had been two hours long instead of six. And so in regard to the last speech we have heard. It would have had a better impression, I think, if it had been only about one third as long. I feel delicate about restraining persons in a matter of this kind.

Rev. J. C. SMITH: I was going to say the same thing. If any one wants to condemn their own case, and lose their case before this Synod, let them spend two or three hours off the

question.

The MODERATOR: The Moderator feels a delicacy in

calling any one to order.

Rev. J. S. T. MILLIGAN: I just want to call attention to the fact that it is a very difficult matter for these young men in reply to avoid going over the whole ground because those who defended Presbytery themselves went over the whole ground, and it is perfectly proper for these young men to reply to all that was said. Now, I want to call attention to this fact, the efforts on the part of this young man by leaving out page after page that he thought ought to be replied to in Presbytery's case. He made every effort, and still, I think, not less than five or six times that young man was interrupted in that manner, when I affirm he did not in one instance depart from the matter that had been discussed before this Court. Now I want just to say one thing more: These young men have their honor at stake; they have their relation to the church of their birth and the church of their love at stake, and in this last Court of appeal I beg of you in the name of justice, and in the name of humanity, that you give them your kind and careful attention.

Dr R. B. CANNON: On that question of order the Presbytery has a right to go over the whole ground as well as the young men at first. That was all right But now I am maintaining that it is simply a matter of rejoinder. They speak personally for themselves. When those from Presbytery

come, they must not go out of the record.

The MODERATOR: Rev. H. W. Reed will now address the Court in reply to what has been said by the represent-

atives of Pittsburgh Presbytery.

Rev. H. W. REED: Fathers and Brethren. I recognize the patience and the labor that has been required of you in listering to these appeals, and the answers that have been returned to them by the representatives of Pittsburgh Presbytery, and I shall endeavor this evening to be as brief as possible and only give utterance to those things that I deem important at the present moment. I simply wish to refer to the charge that was made against Brother George by myself, and express before this Court my regret for having said what I did. I did then feel that the circumstantial evidence justified

me in uttering those words. Had I done, however, as our Saviour commands, and gone to the brother in private concerning this matter, it would have saved both him and myself much embarrassment; and I wish to make my regret as

public as the charge was made.

I appreciate very much the profession of friendship that was made by the brother while he was answering that matter; and yet while I appreciate the profession of friendship it does seem to me that a deed of friendship would have come very much in place on last Tuesday, when this Court had before it the question of calling us young men to purge ourselves of contempt, especially as my contempt was due to the advice that the brother himself had given. It would certainly have been appreciated at that time to have had that explana-

tion given in connection with that discussion.
It is claimed by the representatives of Pittsburgh Presby-

try that they began this process in obedience to an act of Synod. They referred to the act of Synod which they desired to obey. We do not dispute that claim; but we simply make this statement: It is certainly a matter of congratulation to this Court that the Pittsburgh Presbytery has found one act of Synod which it could conscientiously obey. There was an act passed in the fifties concerning the necessity of deacons in those congregations which should be organized; and since that act was passed in the fifties, there have been two congregations organized in the Pittsburgh Presbytery without deacons being ordained.

Rev. D. S. FARIS: I claim that is entirely new matter and is out of order, and all such things as that must be ruled

out. The Synod will not wait for these things.

The MODERATOR: The Moderator ruled out that same matter this morning and trusts that he will not be obliged to

do so again.

Rev. H. W. REED: I wish to call to your minds one thing that the representatives of Presbytery touched but lightly, and that was the causes that lead to holding that East End Meet-They begin with the fact of the East End Meeting being held, and with the resolution of Presbytery condemning that Meeting as having been held without due regard to the act of Synod, and as having by its methods and utterances awakened apprehensions in the church. You will remember that when I spoke to you before I endeavored to show you and point out to you those things, those misrepresentations, that led to our holding this East End Meeting. These were not answered. It may be that I have been guilty of wanting in respect to ministerial character; but I wish you to consider that there were things afloat in the church since the meeting of the Synod in 1890, before the holding of the East End Meeting that reflected upon ministerial character ---

The MODERATOR: This is traveling over the same ground

that was gone over before, which is directly contrary to the rule.

Dr. McALLISTER: I was about to object. Mr. Moderator. Rev. J. S. T. MILLIGAN: They are to confine themselves

to the rejoinder.

The MODERATOR: The speaker is violating the rule in both points; because the same ground is not to be traveled over, and he says himself it is not in rejoinder to what was said.

Dr. McALLISTER: It is a rejoinder to what was not said.

Rev. J. S. T. MILLIGAN: Let me ask this question.

Rev. D. S. FARIS: I think Mr. Milligan is out of order. And I ask you. Mr. Moderator, to rule Mr. Milligan down and de-

cide the question yourself.

The MODERATOR: Here is what the book says, not to travel over the entire ground. He has traveled over the ground which he admits the representatives of Presbytery did not touch.

Rev. H. W. REED: The representatives of Presbytery however, said that they did not take motives into consideration. Yet they claimed we did intend to hold the East End Meeting. That is admitted. When we talked about holding that Meeting, and when we came together to hold that Meeting we did intend to hold that Meeting. Yet they altogether ignored the character of that intention. And they not only ignored that, but they misrepresented the character of our intention by claiming that it was in fact a divisive course. Now this is what we deny. We claim that the character of that intention in holding the East End Meeting was to be a healing of divisions that were already in the church, and not intended to be a divisive measure. This matter of the character of our inten-

tion ought, we think, to weigh in your decision.

It has been said that there is a great deal of mystery surrounding the East End Meeting. Perhaps there is. Some of this mystery certainly has been cleared up to-day; and I wish to clear up a little more. I attended that East End Meeting because of these misrepresentations and of a desire to come to an understanding with my brethren. I attended that East End Meeting not only for that purpose, but that I might with others be able to consult together as to the steps that we should take whereby we might confess the sins that we had done, and be able again to set ourselves right with the doctrines of the church. In 1889, I did vote in favor of the act upon constitusional amendments; but I believe now that I did wrong. I came to that conviction shortly after Synod adjourned. I was never satisfied with my act at that time. I felt that that action was at variance with the historic position of the church, and that is one reason I came together with these, my misrepresented brethren, that we might be able to counsel together as to the means of undoing that sin that we had committed.

When we came into that Meeting it was myself, and not another, that proposed and moved the adoption of the second plank of the East End Platform. I moved the adoption of that plank as a conservative measure, as a means whereby the church might return to her historic ground and be rid of the errors and of the mistakes that had been made. I had been reading the sermons of the fathers — Dr. McLeod and Dr. Willson. I had been reading these, and I had been reading the sermons of Dr. Wylie. I had been reading the Minutes of Presbytery and of the Synod in the early years of her existence. I had sought to come to an understanding as well as I could of the motive and the grounds upon which our fathers acted as they gave this Testimony of ours to the world; and as I studied these matters I came to the conclusion that the act of 1889 was wrong; and I moved the adoption of that second plank as a means whereby we might return to the ground occupied by the church in 1806. Admit that I did wrong. Admit that I made a mistake, that was my purpose; and the argument that I used on that occasion was the same argument that I am trying to state to you to-day. I referred to the teachings of the fathers in their writings: I referred to the acts of Synod and to the position of the church in the ages that are gone by, and having referred to them I moved the adop-

tion of that plank.

Now, Fathers and Brethren, let me show you where the whole mistake is, it is simply in one word. "Without binding them to our explanation." I am afraid that the fathers in the ministry. I am afraid that the brothers in the ministry, and I am afraid that the elders in the church, have misunderstood the meaning of that word. They have misunderstood the meaning of that word and have taken the word as equivalent to the word position. Now, if you would read the second item. "Without binding them to our position of political dissent and other questions," then I grant that that plank is wrong and that it would be destructive to the church. But what is meant by the term "explanation?" Ah, it is not equivalent to "position." The members of Pittsburgh Presbytery will remember that long address of mine in which I quoted from the fathers one after another, and they will remember how tired they became hearing those quotations. myself was lost in the midst of that argument, for it was too heavy for me to carry. But what did it show? The tendency of the argument was to show that an explanation of the doctrine of political dissent as held by the fathers in one age, did not agree with those explanations that were given in another age, and that these did not agree with the explanations that were given in a later age; and consequently while I have set myself to receive the explanations of this doctrine that are given in the present day, I did not wish to hold others bound to accept the explanations of the same doctrine as given in the

days of our fathers and our grandfathers. And in making room for all we added the words, "Without binding them to our explanation in the matter of political dissent and other questions."

Dr. R. B. CANNON: I submit that this brother is now replying to matter that was not brought out on the other side.

Rev. J. S. T. MILLIGAN: Dr. McAlli ter put his explanation upon that second plank in the Platform. He occupied a whole half day to show that his explanations of it would be destructive of the integrity of the church. Now I believe the idea of it was conservative. The idea of that second plank was conservative. In other words, it suited my case as it suits this brother's case, and the speaker is showing that instead of carrying the church off its base it is asking the church to rescind those explanations that are antagonistic to the Testimony and the Covenant in its proper acceptation. And I submit that he has a right to occupy half an hour on a position, about which the brother occupied half a day, misrepresenting him, misrepresenting me and a large portion of this church.

Rev. D. S. FARIS: I think if that is a point of order he ought to state it and then quit. We do not want a speech.

Rev. J. S. T. MILLIGAN: You do not want anything from me, but you will have to take a little.

The MODERATOR: The speaker will proceed.

Rev. H. W. REED: It was stated by the representatives of Pittsburgh Presbytery that there was introduced an argument trying to prove that this whole matter of political dissent should be left to the individual conscience. I presume they referred to what I said in part, though others may have walked upon the same ground. Now, I confess I did do that; and I believe that my language has been partially misunderstood. They have taken their meaning from the words I used, and it might have been better to have used other words, but I simply wish to make this statement: That I meant nothing else by that argument than what I understood the church herself to mean when she adopted the resolution concerning the writing of the Act, Declaration and Testimony in 1804. These resolutions, I suppose, are not in order to-day to be read, because they are new matter, but I wish to point you to them, and you will find them on the 13th page of the Minutes of the Reformed Presbyterian church from 1801 to 1806, published by the editors of the Reformed Presbyterian and Covenanter. simply meant by that statement the same thing and nothing more than the church meant on the 15th day of May, 1806, when this Declaration and Testimony was adopted after prayer had been offered to God, and on which day after this Testimony had been adopted there was taken this action: Wylie was appointed to prepare a particular Testimony against the constitution of the United States and against the constitutions of each of the States to present to the next meeting of Presbytery." In other words, I understood the fathers to mean that this particular Testimony against the constitution of the United States meant a part of the argumentative Testimony of the church that was not yet written, and that they were making provisions for the writing of the argumentative Testimony, Mr. Wylie being appointed to write this part of it. I depended entirely upon the record; I never went for one moment outside of the record or outside of the writings of men who are highly esteemed in the church for their works' sake. These were the motives and these were the reasons why I moved in the East End Meeting the adoption of the second plank. Certainly if anyone ought to be responsible for the error in that plank I ought to be.

There are other matters concerning this that I would like to refer to, but I shall pass them by. I will pass by the Elders' Convention. Mr. McClurkin has denied the statements of an interview that has been brought to your attention, and I pass that by and come to another point. In papers that were presented to Pittsburgh Presbytery, among these memorials was one from the Union congregation, requesting Pittsburgh Presbytery to take this Platform and this Meeting, and compare it with the standards of the church, and decide whether or not it was consistent with them. Now that was not done.

Did we have an organization? Did we form an organization at the East Mnd Meeting? There seems to be a vital question. In the call for the Elders' Convention it is said that we had already formed an organization. You will find in the call and in some of the memorials that came before the Pittsburgh Presbytery in October last the same thing is asserted, that we

had formed an organization.

Now, when we were called upon by the Prespytery to make our statements concerning this East End Meeting and East End Platform I supposed all the time and never doubted for a moment that the Presbytery was acting on the ground that an organization had been formed. I may be mistaken, but that was the impression in my own mind, and hence in my statement before Presbytery I neither affirmed nor denied that an organization had been formed. Indeed, I never referred to it, and whatever inference may be taken from it, the impression in my own mind was that there was no need of making any statement concerning it: I then believed than an organization had been formed. I believe I did say in Presbytery that I thought an organization had been formed. I believe I said likewise in Presbytery that I was opposed to forming an organization at the East End Meeting. Now I wish to make a statement here. The question of forming an organization was before the East End Meeting, and I did oppose it. I thought the motion carried, but it seems to be the case that it did not carry, and that my opposition had something to do with the

defeat of the measure. Now, Fathers and Brethren, this may help to clear that difficulty. Some thought it carried; I did. Other claimed that it did not. Reference to the notes of that Meeting as kept does not justify the claim that it was carried, and hence the measure was defeated, though it was talked about. It was only in the process as one thing and another came up that we were led to inquire more closely as to the

existence and meaning of this act.

There were certain papers submitted to Presbytery by Dr. McAllister, by Prof. Willson and by Dr. Sproull, to which reference has already been made. I shall pass them by and come to a statement concerning our conference with the Judicial Committee. I now believe it was a committee: I then thought it was a commission. That Committee met in the morning by themselves. We were asked to be present in the afternoon. We were not present when Dr. Sproull constituted it as a commission. We were not present when Dr. George (if it was he and I believe it was) corrected him as to his mistake, and told him it was only a committee. We were not present when Dr. Sproull was corrected in that mistake, because that transpired in the forenoon of that day. They then prepared this basis of settlement to be offered to us, and it was all in readiness when we came together with them on the afternoon of the 22nd of October. When we came to meet with them the basis of settlement was ready, and a statement concerning this basis was made. The statement was something like this. There was an effort to put into it over our signatures, what we had admitted before Presbytery when we made our statements. It was simply an effort to put our own language in the words. We were astonished, or at least I was astonished, because it was so liberal; they conceded so much to us: it was far more than I thought would be conceded. They granted us more than I had hoped to have granted. Indeed, Fathers and Brethren, I came to that Judicial Committee expecting a far stronger conservative statement than was presented to us by the Committee itself. It was this liberality in this basis of settlement that astonished us. And then there was another thing. Dr. Sproull was the spokesman. Not another member of the Committee uttered a word. For helf an hour at least and perhaps longer they were as quiet as quiet could be. Dr. Sproull was arguing with us, and was not succeeding in persuading us to sign that basis. We were hesitating about signing it because we hardly understood it, and there was doubt in our minds as to the meaning of the terms. We were hesitating to sign it. while we were willing to accept By and by one after another of the other members began speaking. In beginning to speak they gave utterance to this statement, viz.: That they had agreed to let Dr. Sproull be the spokesman while they themselves would not utter a single word. But now, looking at us, they saw we were not angry,

and they thought they could interfere on the ground of friendship, and we blamed them not for it. I was silent for a few minutes, at all events for a little while, for when we entered that committee-room there was certainly something that we could not understand nor explain. Besides they did not explain to us then whether it was a commission or a committee. They knew of Dr. Sproull's mistake. They knew that Dr. Sproull had invited us to be present. I do not suppose that they thought for a moment of the confusion that existed in our minds. Now, it may be that other matters of greater importance had taken possession of their minds; but had they thought of it, then was their favorable opportunity to have asked us the question, whether we were dealing with a commission or with a committee, and to have relieved us of a misunderstanding. That question was never asked, and we went out from the Meeting, believing that it was a commission.

During that conference this question was asked Dr. Sproull: We might sign that basis; you might be willing to agree with us to this as a basis af settlement; yet we must remember that the Presbytery as a court must take action upon it, and they may not be satisfied with it. That question was asked. What then? We are dealing with you; but this goes to the court to whom you are responsible. This is not the language but it is the idea, for I was the one that asked the question. Dr. Sproull returned this answer: "We will use all our influence, all the influence in our power, to have Presbytery accept this basis of settlement, unchanged." Not another member of the Committee said a word. By their silence they concurred in the promise that had been made by the chairman, and we depended upon that. There were other matters came in. to which we need not refer, as we do not wish to take up your time. Finally we gave our consent. We did not sign; we gave our consent.

Permit me here to ask you to give attention to the meaning of terms. Dr. George again and again in his address said we signed that basis. Now he did not mean to convey to you the impression that we had signed, but it was simply the language that came to him; and he told you at the time that he wished you to understand all the time that we had simply given our assent. But some might think we had signed, and hence you would misrepresent us when you would take that language to mean that we had signed this basis.

Dr. GEORGE: I said that at the time.

Rev. H. W. REED: He stated this at the time. Now here is where attention is needed. We ask you to remember what these words mean to us, and as these words mean to us either to acquit or to condemn us. We passed out of that Committee, and the members of the Committee remained behind. It was after we had left them that they took the action is to calling a special meeting of Presbytery, not before. We knew

nothing of their action calling a special meeting of Presbytery, for that was not talked of in our presence. We ran into a number of newspaper reporters, and there were smiles upon our faces, of course, for we were all smiling, even the members of the Committee were smiling before we went out, and we were shaking hands one with another. And if you would look in the report in the paper the next morning in which it was called "A victory for the liberals," you would find they based that upon the smiles we wore on our faces, and not upon anything we said. Not one of us said a word to any one of these reporters as to what had taken place in that meeting. We simply said, "The members of the Committee are inside;

call on them and make your inquiries."

Of course, when we returned to our congregations they desired to know what had taken place. All I said to my people was, "We have agreed upon a basis of settlement, but we are not at liberty to make known the terms of this basis until Presbytery meets, which will be next April." And they were astonished that it would be kept quiet so long. I did not know that it was intended to call a special meeting of Presbytery for the 4th of November. Hence, they cannot charge upon us, after what you have heard to-day concerning that matter, any breach of faith in making known the terms of the basis of settlement. Nor did we ever claim to have achieved a victory over the conservatives. The report in the paper was as much a surprise to us as to them; and I regretted the report in the paper as much as any other man could possibly do; for I felt that there would go out to the church, and especially to the members of the Judicial Commission, a misrepresentation, and an impression that we had broken faith.

I pass on to the resolutions. Yet, I need hardly refer to them. Reference is made to an item in our Banner; and you have had it pointed out to you to-day, Fathers and Brethren, that that article in the Banner was not seen or read here until the 7th of November, and we claim that the wrong was done us on the 4th of November; hence, that item in the Banner (I can't explain it for I know nothing about it) was no inducement to bring in these resolutions on the 4th of November. But the brother admitted another thing. He admitted that he had a conversation with his brother-in-law. He did not tell him the basis of agreement. The brotherin-law perhaps gave his opinion upon the newspaper report. He could base it upon nothing else. And by reason of his objections to that basis, whatever it was, it was unknown to him. and by reason of letters received from brethren in the East, he brought in these resolutions to satisfy the church. Now, he was a member of the Judicial Committee at the time he brought in these resolutions. We understood the members of that Judicial Committee to have pledged themselves to use their influence to have Presbytery adopt this basis without

change, and if any should be made the responsibility should rest upon Presbytery, and not upon those who were members of the Judicial Committee. He brought in those resolutions. That his motives were true and good, we do not dispute; but they were a surprise to us. And, Friends, we were walking in the midst of surprises. Every step that was taken in this course was a surprise, and the surprises often times confused our judgment, and we said and did things that afterwards we regretted having done. We were sorry we had done them. But here was a surprise. Here was this confusion of our judghere was this confusion of our mind. We could scarcely understand what these things meant; and not understanding these things in that meeting of Presbytery of the 4th of November, I am free to admit that we made many mistakes. Nevertheless these mistakes should not be charged against us, because we did not understand fully the motives and purposes of Dr. George as he brought in those resolutions. Dr. Sproull and Dr. McAllister objected to considering those resolutions at the time. We thought they were surprised as well as ourselves. We would not have objected to them having come in in a separate way, but it was proposed to take them up and adopt them in connection with this report. Then did we learn that it was a Judicial Committee. He proposed that they take it up in connection with this report, and our understanding of these resolutions was that they would be a rider upon the report. Now that was a misunderstanding, but that was the understanding of our own minds at the time; and because of that when the resolution was adopted we withdrew our assent, some of us f om the third item, others of us from the whole basis of agreement.

I understood myself as having withdrawn my assent, I am free to admit it, from the whole basis of agreement; while others did specify the third item of that basis. The testimony on which the verdict was reached during the trial, has been gone over by Dr. McAllister We have referred to it briefly under another point, and shall not take up time here. I only desire to say this: I have always felt that there was a wrong done to us, or a wrong done to me, by reason of the admission I made before Presbytery on the 15th or 16th of October. It may be again that I am misunderstood, but nevertheless, with the understanding that I have I felt that there was wrong done me. Had I known that that admission would be the testimony against me, I certainly would not on the 16th of October (it was either the 15th or 16th) have made any statement. I would have left them to have got their

proof.

One other point: Dr. McAllister has given his reasoning as to the power and effect of appeals in staying proceedings. I was certainly interested, and received much instruction, I confess, and I am glad to confess it, in what he said concerning

this matter. But he said so much that was new to me, so much that had not been given to me in the Theological Seminary, and indeed some of it seemed to be contrary to the instruction I received in the Seminary (I am only depending upon my memory). It seemed to me to be so contrary to those instructions, I have felt myself in a fog, and particularly as he quoted from the old Scottish law. And I rotice he read one item from that old Scottish law that I will read: "An appeal being made by parties, should sist the execution of the sentence appealed from, only while the appeal is duly and diligently prosecuted, and may thereby be determined, otherwise not; unless the judicature appealed to receive the appeal and take the affair before them; in that case the judicature appealed from is to sist till the appeal be discussed." Then here is one item that the Doctor did not read, which is likewise in the same old Scottish law: "Sentences are in themselves null when pronounced against the general acts of the church, or by an incompetent judge." And then the incompetent judge is defined; "As the sentences of Kirk Sessions against ministers, or even by Presbytery and Synod, when the process is carried and admitted before their superior judicatures." Our own Book states that an appeal is the removal of a case.

Dr. McALLISTER: Go on with the quotation.

Rev. H. W. REED: I am trying to find the words. "An appeal is the removal of a case already decided by an inferior judicatory to a superior judicatory by a party aggrieved. None but parties can appeal." Then here is a section which the Doctor did not read: "An aggrieved party may protest against the whole or any part of the proceedings, or of a sentence of a judicatory, delivering such protest, with the reasons of it to the judicatory which conducted the process, accompanied with an appeal to the next superior, of which protest and reasons a copy shall be presented to the judicatory to which the appeal is made."

Now I did think that an appeal from the admissibility of the libel carried it to the superior court, though I did not appeal from the admissibility; I did think that an appeal from the relevancy of the libel would carry it to the superior court, though I did not appeal at that time. But I do think that an appeal from the verdict finding us guilty of the charge contained in the libel, stays the proceedings at that point, and I have based my belief and thoughts concerning that matter upon this Book of Discipline, and upon the instructions as I remember them received from the Professor in our Theologi-

cal Seminary.

I grant you that we are young men; and we have much to learn. But ought the mistakes of youth in a case that affects our relation to the church of our birth and the church of our love, concerning matters in which we were mistaken or mis-

led, or which we misunderstood, be used against us to the calling of us to answer for contempt of court because we did not respect that which we thought the Court had no right to do? Now, Fathers and Brethren, I wish to close. And I ask you to sustain our appeals and our complaints for the reasons I have given, and for the sake of the church whose interest you have before you, and with which we are all identified, in which we have been born, and which we love with all our hearts. We do not ask you to endorse the East End Meeting. We do not ask you to endorse the East End Platform. may take whatever action concerning these matters you please, provided you maintain the right of the minority to testify against the defection of the majority; provided you maintain the principle that a minority in a question of principle is not bound to submit to the majority; provided you maintain these principles of our own Testimony, in the abstract case, you may take whatever action with the concrete case you wis h. But remember, we felt ourselves walking in the midst of surprises, taken on this side and on that side; every action of ours misrepresented, as it seemed to us; our own youth and our own ignerance are to be taken into account; and, taking these thirgs into consideration, you ought at least to sustain our appeals and allow us, again to work in the ministry of the church of our birth and in the church (f our love.

I wish likewise to say this upon my own behalf, that I would be willing, and did many times promise (when they talked of leaving the whole case to Synod without action), not to refer to a single thing concerning the East End Meeting and the Platform in any preaching that I should do, or in any writing that I should publish. Ay, and I wish to bring this likewise to your minds: When we met with the Judicial Committee and agreed to that basis of agreement, there had been sent by me certain articles to be published in the News Letter, and as soon as I returned to my home that evening, on the 22nd of October, I sent word to Mr. Carson not to publish those articles, and they are lying in his pigeon hole to this day. There is how I kept that basis of agreement. I wish to do nothing to disturb the peace of the church. I never preached the doctrines of the East End Platform from my pulpit, but I endeavored to present God's own truth as taught in our Testimony for the instruction of our own people, and for the enlightenment of others who came to worship with us. We felt ourselves loyal to the old Covenanter church, and we have desired at all times with all the strength that we have, to join with our brothers in waving the old blue banner "for Christ's crown and covenant" till the kingdoms of the world acknowledge him as their Prince, Saviour and Lord.

The MODERATOR: The Rev. W. L. C. Samson now has

an opportunity of addressing the Court in reply to the repre-

sentatives of Pittsburgh Presbytery.

Rev. W. L. C. SAMSON: Dear Fathers and Brethren: I confess I am a little perplexed, as I appear before you to make my rebuttal, by the arguments advanced by those appointed to defend the action of Presbytery. I tried in presenting my case to avoid all personalities. I eliminated one or two personal references I had in my manuscript, in order to avoid making any personal reference. But as I am here before you now in rebuttal, I must confess, if I speak along the line of those who have been appointed to defend Presbytery's action, I must make personal references; if I shall make personal references. I want it to be understood by the members of the Court, and by those to whom I make reference, it is not my desire so to do.

The first point advanced by the first gentleman who spoke in defence of Presbytery's action had reference to reflections that had been made on ministerial integrity, with reference to reflections that had been made upon himself. Now I appreciate the situation in which the gentleman was placed; and in reply to that let me ask the members of this Court to put themselves in my place as I stood before Pittsburgh Presbytery last fall, and see if there were not references made that did affect ministerial integrity. True, Presbytery may have brought no formal charge against my integrity of character; but nevertheless, dear Fathers and Brethren, there were those insinuations, those informal charges, that were before that Court that did affect my ministerial integrity. Does it not affect ministerial integrity to be charged indirectly as a heretic? Does it not affect one's ministerial integrity to be charged as an apostate? Does it not affect one's ministerial integrity to be charged as a covenant breaker? Does it not affect ministerial integrity to be charged as being one who is insubordinate? Ah, put yourself in my place, and you will see it did. Let the gentlemen who stood on the floor of this Court and fought for their personal characters so much, stand where I stood when the memorials from the different congregations came in, from which memorials were drawn the charges that were indirectly contained in the report of the Committee on Discipline, and see whether or not they will regard themselves as being touched in their ministerial integrity.

So, Brethren, while those who were before you in defence of Pittsburgh Presbytery's action, may have defended their own ministerial integrity. I say we are here appealing to you to defend our ministerial integrity from charges, either formal or informal, that have affected us. And so while there was reference to the protection of ministerial integrity on one side of the house, we think we have just as good a right to appeal

for the protection of our characters as have the others.

Another statement to which we would ask your attention is this: They say that Pittsburgh Presbytery has kept silent to this hour. You were informed when the first defendant arose to defend Pittsburgh Presbytery's action that you would here and now hear for the first time the defence of the Pittsburgh Presbytery. Such a statement to me seems strange when I recollect in the Reformed Presbyterian and Covenanter a Pastoral Letter, written and put forth by the Moderator and clerk of Pittsburgh Presbytery's action. That Pastoral Letter, which is ten and one-half pages long, was published in the Reformed Presbyterian and Covenanter. And yet we are told by the defendant to "Listen to him and hear the first defence of Pittsburgh Presbytery." I cannot understand it.

Place that statement also in connection with the fact that at different times there appeared in the *Christian Nation* articles from members of Pittsburgh Presbytery, evidently defending Pittsburgh Presbytery's course in the suspension of seven ministers from the exercise of their office, and I cannot

reconcile them.

You have seen scattered through this church a sermon preached by one of the men who defended Presbytery's action. And that sermon, according to the very heading of it, is defence of Pittsburgh Presbytery's action indirectly. At the very beginning of it we read, "It is the purpose of the discourse to apply this text to the settlement of the question now agitating the Covenanter church." If this is not a defence of Pittsburgh Presbytery's action, I know not what a defence is. Yet the man who preached that sermon, when it had been published in the Christian Nation and scattered through this church, ay, and had been kept in the back part of this house for days; stood here and intimated that from him and from his colleague we would hear the first defence of Pittsburgh Presbytery. I cannot reconcile the fact with the statement.

Rev. J. C. SMITH: I hope there will not be much more of this. It does not matter in this case whether Dr. George stated the fact or not, as to whether that was the first defence. I do not see that it makes any difference.

Rev. Mr. SAMSON: I approve of that.

The MODERATOR: The prosecutors will not consume

time that does not count.

Rev. Mr. SAMSON: The one speaking in defence of Presbytery brought before you the fact that upon reports which appeared in the public press, Presbytery's case rested. Upon the reports that appeared in the Commercial Gazette, as those reports were used and interpreted, the heading of the Platform, the call for the Elders' Convention, was drawn up. That Elders' Convention call prepared things for memorials; the memorials prepared things for the Committee on Disci-

pline; the report of the Committee on Discipline prepared things for putting us in the toils, and prepared things for our standing here before you. Analyze the case, and it rests on a report of the East End Meeting and the East End Platform that appeared in the Pittsburgh Commercial Gazette. There is not a member of Pittsburgh Presbytery that would want a case brought against him the basis of which was reports that appeared in newspapers. Those who are defending Presbytery's actions would not for one moment want a case brought before this Synod against them the basis of which would be articles that have appeared in the press since this Synod began to sit. Go before Judge White here in the Criminal Court and attempt to base a case upon newspaper reports and see how long it would last.

Members of this Synod, I ask you in the name of justice and right to analyze the argument that was advanced by those who defended Presbytery's action, and to look at the case as they presented it to you, go down to the foundation at which they started, and see if their case does not rest upon reports

that appeared in the public press.

The fact was brought to Presbytery's attention, it is conceded, in the regular way by memorial. Yet these memorials, taken in connection with the Scriptural injunction contained in the Gospel of Matthew, 18th chapter, never would have come to Presbytery, I feel, had those who were concerned in them come to one of us personally. And right in this connection let me say, we were before Pittsburgh Presbytery, and on trial for days, and not a prayer was offered for us; and we were in this Synod for days before a prayer was ever offered for those who were subject to discipline. Now, those men may stand before you and represent that they acted according to the law and order of the church. But that fact does not show, to my mind at least, that the spirit of the Lord Jesus Christ was the spirit that animated them in their action against us. There is but one member of the ministry of the Covenanter church that to this present time ever came to me and plead with me to turn back. I honor that man, and I will remember him as long as I live.

While these memorials were brought in in regular form; while the case may have been carried on in forms that were regular, nevertheless they, taken in connection with the Scriptural injunction found in the 18th chapter of Matthew's Gospel, go to show that the whole case, resting on newspaper reports, was not carried forward in a Christian spirit, and how could you expect it to be under the circumstances?

One of the points in my complaint was a complaint of injustice and wrong with reference to the manner in which Presbytery secured the evidence by which it attempted to frame the libel. Now just to show the full character of that report I would like to read a part of it. The memorials were

referred to the Committee on Discipline; they are enumerated by the Committee; and it stated the matter that was contained in each and every one of them. Then comes the first part: "The matters complained of are of the most grave and serious character: 1. False and heretical teaching contrary to the Word of God and the accepted standards of the church. 2. Following divisive courses by assailing clearly defined doctrines and practices of the church. 3. Covenant breaking and apostasy in departing from past attainments and violating our sworn engagements. 4. Breaches of official trust by disregard of simple ordination vows, and the use of influential positions to break down what the church intrusted them to maintain. 5. Insubordination to Synod, and contempt of its authority."

Then comes the second part: "1. The facts upon which these charges are based are the positions openly avowed on the floor of Synod, and in the publications of the church, and especially by the Meeting held in the East End R. P. church. 2. The express decision of Synod, 'that Synod disapproves and emphatically condemns, and warns the members of the church against the teaching or publishing of sentiments contrary to and subversive of the well established principles of the church and the practical application of her Testimony against the irreligious institutions of the nation; and that Presbyteries are hereby enjoined to see that this direction is ob-

served."

Then coming down to the fourth part, where the Committee made its recommendation, we read: "1. That the consideration of this report be preceded by a season of reverent devotion and prayer to God, during which we engage ourselves to draw very near the Searcher of all our hearts, and to cherish the most tender and fraternal regard among ourselves, and that we will faithfully follow the light which God shall vouchsafe to us in answer to our humble prayers." Then, following the hour for prayer, came the opportunity for making statements: "That, following this hour of prayer, an opportunity shall be given to all the brethren named to make such statements in regard to the matters set forth in these memorials, as they think best; that, if possible, by the most frank, open and candid expression of views and purposes we may come to see eye to eye, and mutual confidence be restored."

Now, the impression that was on my mind when we came to that section was, the olive branch was held out; that if we would make a ull statement of what was meant and understood by us with reference to the East End Meeting, if it was not contrary to the principles and practices of the church, there would be a final settlement of the whole matter; that

the difficulties then and there would be adjusted.

I think if I will call to your mind a fact or two in reference

to that Meeting, to which so much reference has been made by those who have appeared defending Presbytery's action, it will show you that Presbytery was convinced we had not purposed following a divisive course. We made our statements one after another. As has been indicated, during the time we were making the statements, old Father Sproull seemed uneasy and wanted to know if opportunity would not be given to others to speak; when we had finished making our statements, then I think it was that he took the floor and made a statement of his own, applicable to the case. But during the time we were making statements, the Moderator indicated that when we were through, other members of the Court would have an opportunity of making statements. Now if, in making statements, we had advanced that which was heretical, or that which was in the nature of apostasy, that which was so very insubordinate, when we had finished. you would have found more than one member of Pittsburgh Presbytery clamoring for the floor in order that we might be cashiered. What was the effect of our statements?

Father Sproull made his statement. The Moderator then indicated that other members of the Court would have an opportunity to make statements. Did any member of the Court respond immediately? No, there was silence. The Moderator repeated his statement, that members of the Court would have an opportunity to make statements or remarks in reply to the statements that had been made. Still there was silence. The third time, I think it was, the Moderator repeated that statement, and no man said a word. At last the Moderator himself spoke to this effect. That if no one had anything to say he would make some remarks, and called. I think it was old Dr. Sproull, to the chair, and made a speech that opened the remarks. He was followed by others. But there was confusion of tongues; some said one thing and some said another. The reason why Pittsburgh Presbytery at that time, I think, did not proceed against us and suspend us was because the members of the Court felt we had not gone so very far wrong.

You will remember that in the speeches in defence of Pittsburgh Presbytery some parts of the East End Platform were characterized in terms that branded it as very heretical at least. It was held up with seorn; epithets were applied to it. It was that which, if adhered to, would lead the church into apostasy. It was spoken of in no measured terms. In another connection and in another place in those speeches, which were made in defence of Pittsburgh Presbytery, this fact was brought out, that they would permit us to continue in our pastorates adhering to the East End Platform, provided we would not propagate it in a manner that was disorderly. For by accepting that basis that was offered to us in the Judicial Committee, we would adhere to the East End Platform

and continue in the work of the Lord in the Covenanter church. On the one hand the Platform is held up as that which would lead the church into apostasy if adhered to; in another part of the speeches those who defended the action of the Pittsburgh Presbytery admitted we could have stayed in the church, adhering to that Platform, provided we had held to the basis that was presented to us by the Pittsburgh Pres-

bytery.

Now, if what those men stated about that Platform was true, and they were willing to let us stay in the membership in the Pittsburgh Presbytery, stay as pastors of congregations in this part of the Lord's house; it seems to me that Presbytery ought to be brought before the Synod for being particeps criminis in allowing us to continue in office as pastors when we were adhering to such a heretical document as they represent that East End Platform to be. Those two statements, Members of the Synod, I cannot reconcile. One the one hand the Platform seemed filled with villainy; at the same time, while we adhered to it, if we could accept Presbytery's basis we could continue in our pastorates. Those statements, made by the men who defended the action of Pittsburgh Presbytery in your own hearing, are prima facie evidence that the Plat-

form is not so bad as some have represented it to be.

Another thing; it was charged that the breach of faith by the young men with reference to the Judicial Committee in making known that which transpired in the Judicial Committee was that which led to the introduction of the resolutions that were to be considered in connection with the basis submitted to us by the Judicial Committee. I will not state this as a fact, but my impression is, that I was the one who made the suggestion at that meeting of the Judicial Committee with reference to keeping the transactions of that meeting away from the public press. And I will give you the circumstances. It has been indicated that when we were there before the Committee, knocks came at the door; the knocks were responded to, and when the one who responded came. back, it was stated that reporters were there wanting to know what was being carried on, and wanting some information. Now in conversing with reference to this statement that was submitted to us, I made a statement to this effect: That I had been connected with the East End Platform in putting it out, having as the design of it the correcting of current misrepresentations; but that instead of correcting misrepresentations it had made them more numerous in that it gave opportunity to those who wished to speak against us, to have some basis for their remarks; and if this basis that was submitted to us was to be misrepresented as much as the East End Platform had been misrepresented, I did not want to give assent to it, and if the thing was going to be published, by so doing it would be, to use an odd expression (I do not know whether I

used it there or not), simply jumping out of the frying pan into the fire. Now, that taken in connection with the fact that reporters were then appearing, led me, I think it was, to suggest that this basis be kept away from the public press, for it had been the misrepresentations in the public press, I felt. that had caused in a great measure this trouble that was agitating us at that time.

My understanding-with reference to the obligation that was there entered into was not that I could not speak to my wife with reference to what was done there; was not that I could not go home to my congregation and say that the matter was amicably settled; was not that I could not speak to my elders and tell them in general terms what was done, but it was that

that basis should be kept away from the public press.

As has been indicated, when we came out here were a number of reporters waiting to get a statement with reference to what had occurred in the Committee. You will find further on that the reporters got nothing from these young men who were in that Committee; they kept their pledge to keep the basis of settlement, the ideas that might be contained therein, away from the public press. But it seemed to me that, even if we had not kept the agreement entered into with reference to the basis; even if we had been writing; even if we had revealed what had taken place in that Committee meeting,—according to the principle that two wrongs never make a right, that fact would not have justified the introduc-tion of the resolutions to be considered in connection with the basis of the Judicial Committee which was presented to Presbytery for consideration. That we had done wrong did not justify others in doing wrong and violating the covenant we had entered into there, or that which seemed to us at the time to be a violation of it.

Now I come to the meeting of Presbytery where the basis. brought up in the Committee and assented to by the young men, was presented. Presbytery was constituted. were some devotional exercises, if I recollect rightly, and then Dr. Sproull, as the chairman of the Committee made his report. As soon as the report was made. I think it was Brother Crowe who moved that the report be accepted and adopted. But just at that point, before there was a second. arose a member of the Judicial Committee who had given tous the right hand of fellowship, and who, we had understood in the Judicial Committee, would come to that meeting of Presbytery and defend that basis, and stand between it and any misrepresentation, made a ten minutes speech, or something like that, and presented three resolutions to be considered in connection with the basis presented to Pittsburgh Presbytery.

Let me now go back just a little. When I received notice of the meeting of Pittsburgh Presbytery, to act on the basis

presented by the Judicial Committee, I was somewhat taken back. I had understood (I do not know what reason I had for so understanding) that there would be no called meeting of Presbytery until the regular meeting in the spring; and the first thought that came to my mind was: what does this mean? I banished it with this thought: The members of the Judiciary Committee have thought this matter over, and they have come to the conclusion that it is better to call a meeting of Presbytery and present this basis of settlement, and get the whole thing finished up. The idea that was in my mind in reference to this motive in calling that meeting of Presbytery to consider the basis presented by the Judicial Committee, was one which attributed to them intentions which were good with reference to the calling of that meeting of Presbytery.

Now you can imagine my surprise when, after that Committee made its report, and the basis was presented, when there was a motion that it be received and adopted, and before that was seconded, a member of that Committee arose on the floor and made a ten minutes speech, or something like that, that rubbed the hair the wrong way, and then presented three resolutions as preliminary to the adoption of the basis of settlement. I had come there to that meeting of Presbytery, thinking that soon this whole matter would be settled. I was in good spirits. But when these remarks were made, and those resolutions introduced, my heart sank; I felt that we had been betrayed, and I think I used that expression that day along in the afternoon with reference to the manner

in which those resolutions were brought in.

Put yourself in the place of the young men; have hanging over you five or six charges, such as were contained in that report of the Committee on Discipline; have it settled, as you think, by a basis presented by a committee for that purpose; come to a meeting of Presbytery, and then have a member, who has given you the right hand of fellowship and pledged himself to stand between you and any misrepresentation of that bas s. arise and present three resolutions in connection with the basis, and you not understanding any reason he should have for so doing and I think your heart would go down too. If those who were so concerned in the action of Pittsburgh Presbytery had been in our places, they, too, would have thought they had been betrayed.

But now, in the meeting of Presbytery, when those resolutions were presented in connection with the r pert of the Judicial Committee, a presbyter outside of the seven who were suspended charged that the one who presented those resolutions acted in a very unwise manner in presenting them to be considered in connection with the report of the Judicial Committee. "An unwise move has been mide and lut for these resolutions the difficulty would have been adjusted." said one, "and we would have been on our way home and the

whole matter settled." So some of those who were specially concerned as having given their assent to the basis presented by the Judicial Committee, felt that a wrong had been done; but there were members in Presbytery who also at that time thought that the right move had not been made. You heard the statement here on this platform, of Dr. McAllister, to the effect that he at the time was surprised; he didn't think that it was the right or a wise thing to do; but afterwards when he had talked it over with Dr. George, he saw it was the only consistent thing that he could do.

Now I submit to you, Members of this Court, that if Dr. McAllister did not think it was the wise thing to do, and the Doctor, when the motion was presented, indicated that he thought it was not the place for it; if the speech made by Dr. George in connection with those resolutions did not convince him that it was the proper time and place for them, and he was not convinced of it, until after he had a talk with Dr. George,—how could we, placed in the situation in which we

were, look upon that as other than a betrayal?

Another remark, made by the prosecution, that I do not understand is this: That the young men were not required to give their assent to these resolutions. Now I think I just made one speech at that meeting of Presbytery. And let me call your minds to this fact. That those resolutions were presented to be considered in connection with the basis reported about twenty minutes of twelve o'clock; when the noon hour came, there was an adjournment, I think, until maybe half past one or say two o'clock. The resolution and basis connected were still in connection. When Presbytery came together after dinner they were still in connection, and they hung together until after four o'clock in the afternoon. Somewhere along about three o'clock I rose and made remarks to this effect: That I had accepted that basis of settlement in good faith and come there to stand by it; I did not object to Presbytery taking any action that they might see fit with reference to the East End Meeting or the East End Platform, but do not couple that action with the basis of settlement presented by the Judicial Committee. Now, Dr. George may have said that day that we were not required to give our assent to the resolutions that were presented. But I was there all day and I was trying to listen to what was going on, and my understanding was that the two were coupled together; that if we adopted the basis of settlement, we took it with the resolution presented in connection therewith, and you will remember in my statement I made before you concerning the complaint in relation to the injustice that the Minute did me, I stated to this effect: "That I did not withdraw my assent from the basis of settlement presented; but if these resolutions were to be considered as riders thereto, I would not adhere to it. I had in my mind adhering to the

basis if I could possibly do so without adhering to those resolutions. There was not a man in the Presbytery arose at that time and stated that I did not have to adhere to the resolutions that were presented in connection with the basis of settlement.

Now, just another remark in connection with the statement that has been made, that all the young men refused to accept a letter of standing to other denominations that was proposed to be offered to them. I want to say right here, in the presence of this Synod, that I never said a word with reference to that letter in any way, shape or form; and my recollection is. there was only one of the seven, or one of the five that were there, that said anything in regard to it. I know I didn't say anything, and I am prepared to produce witnesses to that effect. So there were some of the five who were there, myself being one, who did not refuse to accept the letter that was presented, and I do not think there was any chance offered to us of making any refusal, for that was no sooner brought before the Court until Mr. Crozier and one or two others were on their feet opposing any such action by Presbytery; and the statement by one of the prosecutors, that such a motion could have been carried by Presbytery, is a statement that I would doubt.

Another remark just in this connection with reference to the argument of the defence. You will notice this running through the defence almost from beginning to end, that there would be taken a statement of one, or a statement of two, say, and the statement would be charged to the whole six or Now, just take as an illustration of that the matter to which reference has been made in connection with the misunderstanding with reference to the report brought in by the Committee on Discipline. They suspected that that report had been changed. Now I never knew that there was any ground for such a suspicion until I heard Mr. Reed's speech here. I never looked over the transcript of the Minutes that was sent to me, or the transcript which I had hold of, and I never knew that in the Minutes there was any ground for any such suspicion. Yet it was intimated that Mr. Reed, in presenting that idea, was representing not himself only, but was representing all that were concerned. I submit, Fathers and Brethren of this Synod, that that is not a fair way of defending Presbytery's action. It is not fair to take the statements that only one may have made, and charge them upon all.

In arguing with reference to the admissibility and with reference to the relevancy of the libel, these facts were brought out: That the Presbytery was the party that made the charge; that the facts were known to the Court. The statement had been made in the presence of the Court, that is very true. But what was the specification in the libel? What was the specification in the charge that was brought against

us of following divisive courses? The specification was not simply the East End Meeting; it was not simply the East End Platform. And I maintain that those things are not a part of the specifications in the libel, charging us with following divisive courses. The specification in the libel is for having said, "That persons, who make a credible profession of the Lord Jesus Christ, should be received into church membership on their acceptance of our Testimony and Terms of Communion without binding them to our explanation in the matter of political dissent or in other questions." There is the specification. Those defending Pittsburgh Presbytery's action did not take up that specification for consideration in any way, shape or form. True enough, the Court was a competent witness, and competent to bring charges. True enough, the facts were brought before the Court. But the thing for you to consider is not simply the character of the Presbytery that made the charge, is not simply the statements that were before the Court, but it is the specification in the libel, the specification under the charge of following divisive courses. The specification I have quoted in your hearing. Was that specification admissible? Was that specification relevant to censure when, as we show in presenting our side of the case, it rested on God's Word and our Te-timony?

Now I want right in this connection to give my testimony with reference to my understanding of the East End Meeting. There was, as you have heard, a misunderstanding with reference to the vote of the Meeting, and with reference to the Platform, among those who were connected, or who were at the Meeting. I stated in the hearing of Presbytery time and again, and gave as my reason for refusing to accept the basis that was offered me by Pittsburgh Presbytery, that I never thought that the East End Meeting effected an organization; I never thought I was a member of any such organization; and that I could not accept the basis that Pittsburgh Presbytery offered, because of the clause that it put in, requiring a withdrawal from the organization formed at the East End. Those who were at Presbytery will remember that was the reason I gave why I could not accept of the basis that was offered. I never understood the East End Meeting as having the character of an organization or as effecting an organ-

ization.

Another thing, brought out by the defence, was this: That the East End Meeting, or the manner of the dissemination of the East End Platform, and the matter it contained, was in character anarchistic. You will remember that reference was made to that copperhead Vallandingham who lived in the State of Ohio, I believe it was, at the time of the Civil War, one who sympathized with the rebels in the southern conflict, one whose sympathies were with those whose aim and purpose was the enslavement of the sons of man, one who in the

north was doing all that it was possible for him to do to aid those who were fighting against the nation, fighting against the constitution. Now, Fathers and Brethren, I leave it to your honest judgment as to whether or not we were of such a character,—as to whether or not we ought to be placed beside such a man?

Just another thought in the same connection. We were spoken of being exactly like Dr. Briggs, and exactly like Mr. MacQeary in our own church. Now, I have not studied up the Brigg's case nor the MacQeary case, but I submit to you that Briggs and MacQeary before this Synod stand for all that is heretical. The attempt to place us by the side of such men as Briggs, MacQeary and Vallandingham is unjust and unfair. It brings to my mind this thought: You remember that when the Jews crucified Christ they put him between two thieves, and it seems to me that when the defence tried to place us between such men as these, they are not following the spirit of Christ.

Now, an act of Synod, I believe it was, which was passed in 1812, was referred to by one of those who defended Synod's action. And the act was to the effect that political dissent was the position of the Covenanter church at that time, and that it was rightly made a term of communion. I only make this reference from memory; it is in the Minutes of the year 1812 that the act to which I refer, as I recollect, may be found. Now remember that 1812 is just six years after 1806. The Synod of the Reformed Presbyterian church

six years before that time --

Rev. J. S. T. MILLIGAN: I think this is new matter and

ought not to be brought before the Court.

Rey. Mr. SAMSON: I will just add this thought: This is just brought in rebuttal of the reference that was made by Dr. McAllister; I want to show that his interpretation of that act is wrong by reading from the Testimony.

The MODERATOR: Dr. McAllister brought in the decision of 1812, and the speaker is referring to the Doctor's interpre-

tation of that act. He is in order.

Rev. Mr. SAMSON: My purpose is to reply to the interpretation that was put on the act of Synod of 1812 by reading from the decision of the church itself. Remember that the act referred to in 1812 was an act to substantiate the fact that practical political dissent was a term of communion in the Covenanter church. That, remember, was simply an act of Synod. This is the Testimony of the church, its constitutional law, adopted in 1806, six years before the act of Synod to which reference was made. Now we will read from the Testimony: "The plan upon which the Reformed Presbytery propose to exhibit their principles to the world, embraces three parts. The first is Historical; the second, Declaratory; and the third, Argumentative. The Historical part exhibits

the church as a visible society in covenant with God, in the different periods of time; and points out precisely the situation which they themselves occupy as a distinct part of the Catholic church. The Declaratory part exhibits the truths which they embrace as a church, and the errors which they reject. The Argumentative part consists in a full investigation of the various ecclesiastical systems which are known in the United States.' Now here is the Declaratory part defined more fully: "The Declaratory part is the church's Standing Testimony. It contains principles capable of universal application. To these principles, founded upon the Scriptures, simply stated, and invariably the same in every part of the world, every adult church member is to give his unequivocal assent." To the principles in the Declarative Testimony every adult member is to give assent.

Here is what is said with reference to the Historical part; "The Historical part is a help to understand the principles of the Testimony. It is partly founded upon human records, and therefore not an article of faith: but it should be carefully perused, as an illustration of divine truth, and instruc-

tive to the church. It is a helper of the faith."

Now here is the Argumentative part, and notice, it is in this part of the Testimony we find the application of the principle of political dissent to the existing system of government in the country: "The Argumentative part is the particular application of the principles of the Testimony. It specifies the people who maintain errors; and it exposes the errors which they maintain. The confidence which persons may place in this part of the system, will partly rest upon human testimony, unless every one who reads it shall also have read and known every work to which it refers. It is not, therefore, recommended as an article of faith: but as a means of instruction in opposing error, and gaining over others to the knowledge of the truth. Every human help which can be obtained is to be used in subserviency to the interests of religion. But Divine truth is alone the foundation of our hope. Authentic history and sound argument are always to be highly valued, and have always been beneficial to the church: but they should not be incorporated with the confession of our church's faith. The Argumentative part is a work of much care, and labor, and time. The Presbytery have not proposed to complete it at present."

Now, there is the constitutional law of the church, adopted in 1806, just six years before the act of Synod to which reference was made. It says you shall not make acts of Synod or the argumentative part of the Testimony an article of faith. Are we to interpret the constitution by acts of Synod? Are we to interpret the constitution of this land by the laws the legislature of the country may pass, or the laws that the legislature may pass by the constitution under which they are

passed? Here is an act of Synod, my Friends, and you must interpret it by the constitution adopted in 1806, which says you shall not make the argumentative part an article of faith.

One reference was made to us, in that while we followed one of those representing Presbytery a while, we are not following him at the present time, and that if we, as young men, would give as much study to the principles of the church and the church's legislation, as he has done, and devote twentyfive or fifty years of our time in studying into these things, we might occupy the same position that he does. Now, it is a strange fact that Doctors of Divinity have never been the leaders along new lines of thought. It has always been, almost without exception, young men who have travelled along new lines of thought. If we follow what you term a new line of thought, different from that which those older than we have followed, may be we have not gone so far astray. chided because we were young men. I do not want to appear unseemly before you, but Paul told Timothy not to let them despise his youth. Christ himself was only thirty-three years of age when he died. He did not select among all the twelve apostles an old man. And I have read somewhere a statement to this effect, that in all the great movements of history you will find a young man or young men leading, and young men following. Now, if we were to have followed the Doctor, who rather spoke in a railing manner, I think I can safely say to the members of this Synod that we would have had to jump back and forth a great many times in the last year with reference to some of the prominent questions that are before the public.

Dr. McALLISTER: Give some of them. Rev. Mr. SAMSON: Another thought——

Dr. McALLISTER: Oh, no; go on and give them; be

specific.

Rev. Mr. SAMSON: I do not understand you, The thought that was in my mind was the Doctor's explanation with refrence to the position on church union. I heard him in this place about eight years ago, I think it was, state that he is willing to go——

Rev. D. S. FARIS: I do not believe we will allow that even

to gratify Dr. McAllister.

The MODERATOR: That is hardly in order.

Rev. Mr. SAMSON: We have taken up more of your time than we thought we would. But in closing I want to ask the privilege of the Court to present to-morrow morning some evidence to offset the reference that was made to me the other day. And in closing for this evening I will simply speak these words: I want you as members of the Reformed Presbyterian church, as you shall come to a decision of these cases, to remember the points we made to you in our appeals, and then see how little these points were really touched upon

in the defence that was made by the representatives of Pittsburgh Presbytery. And I want to speak a word before I close with reference to a prejudgment of the case that was spoken of by those who defended Pittsburgh Presbytery's action. Why, certainly the members of Pittsburgh Presbytery prejudged the case when they had the evidence before them before the case was tried. Well, without doubt the members of Pittsburgh Presbytery, after we made our statement, did form an opinion or have a judgment in their minds with reference to the case; but the prejudgment of the case to which reference was made was the prejudgment that manifested itself before ever Presbytery met. The memorials, the paper from the Elders' Convention, the papers that were presented there by members of the Court, all these papers go to show that there was prejudgment of the case, and that prejudgment was not referred to. Therefore, possibly, we are out of order in this matter.

But in closing I think if you will analyze the case particularly, members of the Synod of the Reformed Presbyterian church, you will see that the whole thing started in the belief and confidence that was had by members of the Pittsburgh Presbytery in unauthenticated newspaper reports; that had the report that appeared in the *Commercial Gazette* been verified or been proven not to be true by personal consultation with us by those who were Presbyters, the case would never have started.

Fathers, another thought... It was stated that the unrest in the minds of Pittsburgh Presbytery after the basis presented by the Judicial Committee was assented to by the seven young men rested on a report that appeared in the Commercial Gazette. Are we to be condemned by the Synod, because the case started from an unauthenticated newspaper report? because there was a failure to effect a settlement on account of the fact, that newspaper reports were allowed to affect the minds, and to shake the faith and confidence that some had in that basis, and some had in the ones that accepted it? you are to allow these things to weigh here, most assuredly Presbytery's action is to be sustained; but if you remember that newspaper reports in this country are not evidence in any court, I think you will clear us of the charge of following divisive courses, or that you will reverse the action of Pittsburgh Presbytery in the findings and also in the sentence that was passed upon us.

One other remark I must make before I close. Reference was made to the interpretation that was placed upon Matthew's Gospel the 18th chapter. It was claimed that Presbytery had fulfilled that teaching of Christ to the very letter — "if they will not hear the church let them be unto you as a heathen man and a publican." The representative of Pittsburgh Presbytery said they did not hear the church; there-

fore they made us, not heathen and publicans, but as those who were heathens and publicans, those who were cut off from church privileges. I submit that when the gentleman put that interpretation upon the Scripture he gave Pittsburgh Presbytery entirely too much authority. There is a higher court in the Reformed Presbyterian church, and when we thought we were wronged in the Pittsburgh Presbytery, to a higher court we took our appeal. We did not refuse to hearken to the church, but when one court had done us wrong we appealed to the court that was higher than that, and we are here before you to-day as those who are hearkening unto those in authority, hearkening unto the highest court that there is in the Reformed Presbyterian church. And I say not until we refuse to obey the decision of this Court can it be said of us that we should be as those that are heathen, and as those that are publican; and when Presbytery proceeded to pass sentence upon us, because we would not abide by their decisions, and when the representative of Presbytery used the Scripture to justify them in proceeding, he arrogated to Pittsburgh Presbytery that power and authority which only the Synod of the Reformed Presbyterian church holds, which only vou, dear Fathers and Brethren, have.

You will remember the other day reference was made to me by evidence adduced by the defence. I desire to-morrow morning to adduce evidence in rebuttal in connection with that matter, and to show that I did not misrepresent anyone, and that I had not done that which was charged.

(On motion the Court adjourned untill to-morrow morning

at nine o'clock.)

MORNING SESSION.

TUESDAY, JUNE 9, 1891.

The MODERATOR: We are now ready to enter upon the consideration of the matter before us on last evening. Mr. Samson. I believe, claims the floor for the purpose of introducing some evidence.

Rev. W. L. C. SAMSON: Fathers and Brethren: You will remember that there was introduced by those defending Pittsburgh Presbytery, evidence, the purport of which was to show that in a statement I had made before Presbytery, in reference to certain acts of my own, that I had misrepresented. Now I wish to show to you all, evidence that in the statement I made before Pittsburgh Presbytery, at a certain time and certain place, I did not misrepresent anybody or anything. I hold in my hand a certified copy of the full Minutes, a part of which was read in your hearing the other day, by one that was called upon to give evidence. The Minute is of a joint meeting of the elders and deacons of the McKeesport congregation, and was held in the church at McKeesport on December 15th,

Monday evening. Now, remember that we were suspended

by Pittsburgh Presbytery on December 11th.

That meeting was called to order, and the first motion that came before it, was the one I shall read to you now: "Miss McConnell moved that the pulpit be supplied every Sabbath until April." That motion was made at that meeting. Now, if the pulpit was to be supplied every Sabbath until April, was the congregation going to pay the pastor's salary and pay for the supplies also? In this connection, I wish to ask a question of the one who made that motion, and who was here before you giving evidence: If she had not been informed by members of Pittsburgh Presbytery that the congregations would not be held responsible for the pastor's salary when they were suspended?

Miss McCONNELL: Mr. Moderator, before answering that question, I would like to know who his informant is. Mr. Samson was not present at the officers' meeting. These remarks do not appear upon the Minutes. I do not decline to

answer.

Dr. McALLISTER: I think if we have anything on that point it ought to be brought out fully. One of the elders, Mr. S. O. Lowry, wrote to me immediately on that point.

Rev. Mr. SAMSON: I will touch that letter.

The MODERATOR: Will Miss McConnell make her statement so all can hear. She will please come forward.

(Miss McConnell complied with the Moderator's request.) Miss McCONNEIL: I said, that as Mr. Samson was not present at the officers' meeting I would like to know who his informant is that these remarks were made? He can decline

to answer if he wishes. I intend to answer his question. Rev. Mr. SAMSON: He will tell who his informant was

later on.

Miss McCONNELL: I would state in reply that the remarks did not come on the point of this motion. There was a subsequent motion made, and I would like Mr. Samson would read it. It was a motion in regard to the payment of the pastor's salary, and it was on that these remarks were made.

Rev. Mr. SAMSON reads: "Miss McConnell moved that

pulpit — —

Miss McCONNELL: That is not the one. It is a motion

Mr. Lowry made.

Rev. Mr. SAMSON: That motion is not certified.

Miss McCONNELL: Then I will state it. Mr. S. O. Lowry moved that we pay our pastor's salary I stated in my remarks, on that motion, which do not appear on the Minutes, that I had been informed by two members of Pittsburgh Presbytery that in their opinion we would not have to pay the pastor's salary, and I added, "It is my opinion we will not have to." The motion was voted down. It does not appear in the record, and we did not say we would not pay. No

action of that kind has ever been taken. That is when my remarks came in, — that it was the opinion of two members of Presbytery, it was not positively stated that we would not.

Rev. Mr. SAMSON: That brings before this Court the point we want to get at, — that there were members in Pittsburgh Presbytery who had advised members in McKeesport congregation that the congregation would not be responsible for the pastor's salary. Now, taking that advice in connection with the motion that we read in your hearing, that the pulpit be supplied until the spring meeting of Presbytery in April, it goes to show that the one who made the motion, it seems, had in mind the idea that the congregation would not have to pay the pastor's salary. It was brought out in your hearing that there was a motion made at that meeting to this effect: "That the treasurer be instructed to pay the pastor's salary until the first of January," which motion was voted down. Now remember that this meeting took place on Monday after the Tuesday that I was suspended. The Sabbath after I was suspended I was at the McKeesport congregation. About the time I was suspended I had received an invitation from a United Presbyterian congregation. I had never heard of the congregation before I received the invitation and did not know anything about who the people were or where they lived, except that they were United Presbyterians.

Rev. D. S. FARIS: I think he should say whether he is

through with the witness.

Miss McCONNELL: I do not think he is. He has not stated what was done with that motion in regard to filling the pulpit until the first of April.

Rev. Mr. SAMSON: It was withdrawn. And who raised

the objection?

Miss McCONNELL: Sir?

Rev. Mr. SAMSON: Who made the objection?

Miss McCONNELL: I made it. It does not appear on the record.

Rev. Mr. SAMSON: What kind of Presbyterian law and order is this? I think this an informal meeting the whole way through, and as far as the statements go they are as good as those down on paper. Now, the point I was speaking of was this: This has to do with another statement that was made by the witness that I had preached in December, and had received salary. I am through with the witness for the present, and I think entirely.

Now, the fact that I received the invitation, and the fact that it was brought to me that the probability was that the congregation would not pay my salary, indicated to me that if I was to have support the thing for me to do was to get all the work I could. The letter to which Dr. McAllister has made reference, was written after this meeting; was written by one who was present there, Mr. S. O. Lowrie, and written by him

to get Dr. McAllister's opinion on the question that was brought before that meeting. Now it seemed to me when the statement was made that I had preached, and I had received money for preaching, that the idea was in making that statement that I was at the same time collecting salary or money

from two different places.

It might be pertinent to ask how it was that the one who made that statement knew I received money for preaching. I did not tell her. I suppose she heard it from some one else who told her. But I think I can suggest to you a way, how she knew I received money for that preaching. When I was paid my January salary, which was not until after the meeting of Presbytery in January, (I do not think I received the January pay until nearly the first of February,) I gave back to the treasurer of McKeesport congregation a check for thirty dollars, which was the net money that I had earned from the time I was suspended until the close of January. I preached four Sabbaths at twelve dollars a day: my expenses going and returning from the place of preaching were over four dollars, and it left me something like a little less than eight dollars; seven dollars and seventy eight cents net for four days preaching; and I gave the treasurer of the McKeesport

congregation a check for thirty dollars.

Now, if I did receive money for preaching in other congregations when the McKeesport congregation paid me for the month of January, I refunded to that congregation whatever I earned by outside work. This was brought out you will remember by the defence in connection with the argument on a point with reference to the sentence that was passed, and it seemed to me that it was all to discredit the statement I had made in purging myself of contempt of the court. When Presbytery met there was a motion. I do not remember just what the motion was, but it was that if those who had been suspended had obeyed their suspensions, they would be offered a certain basis of settlement. When it came to me to state whether or not I had observed the suspension that was passed upon me. I arose and told the Presbytery just what I had done, that I had preached for the United Presbyterians, and I made a full statement with reference to what I had done there in the presence of the court. Now, did the court regard that as insubordination at that time, and pass a resolution censuring me? No. Some of the members of the court arose and praised me for the frankness of the statement that I made in telling what I had done. Others thought that that was allright; and it was the suggestion of some one. I do not just remember who, that it would be a good idea, for the pastors of congregations to go into other congregations to preach, and refund the money to the congregation when they should pay their salary.

When I made that statement before Presbytery I did not

know but what that Presbytery might right then and there turn around, and institute a process against me for having done what I did; but I told the court all that I had done, and the fact was brought before the court that I had preached in another denomination, and no resolution of censure was passed, no resolution of admonition was passed, and the fact that I had preached for United Presbyterian congregations was before the Pittsburgh Presbytery from the middle of January until the time that this Synod was called. And yet these men want us to purge ourselves of the contempt of Pittsburgh Presbytery! I thought that if the Pittsburgh Presbytery had the fact before them that I preached and did nothing in my case, that the Presbytery itself did not regard

it as contempt of their authority.

Now, in regard to the statement I made to the Presbytery that the congregation had not paid me. You can see from the evidence I adduced that I did not misrepresent, for the pastor's salary was due on the first of January, and it was not paid until after the meeting of Presbytery, and Presbytery did not order the congregation to pay the pastor's salary. As to the other remark that was made, that we had preached in United Presbyterian congregations and received money therefor, while other facts were left out of consideration, that might go to show that we were working a kind of bunco game to collect salary from two places at the same time, the facts that I adduced to you show that the money I got from other places I refunded to the congregation; and if there is anyone who wants to have the evidence of witnesses outside of the evidence that has been brought before the court. there are witnesses here to make statements on those questions. The members of Pittsburgh Presbytery had advised the officers of the McKeesport congregation that they would not be held responsible for the pastor's salary, and the action taken four days after I was suspended indicated that they were acting under advice from members of Pittsburg Presbytery. Now the letter that was referred to was written after that meeting to Dr. McAllister.

Dr. McALLISTER: Have you my letter in reply?

Rev. Mr. SAMSON: I call on Mr. Lowrie if he is present. Dr. McALL STER: I would call for the reading of that letter.

(Mr. Lowrie was not present.)

Rev. Mr. SAMSON: I thank the court for the attention you have given me. I have taken up much of your time, more than I ought to have done, and for your kindness to me in hearing my appeal and complaint I thank you, as well as for your kindness in hearing my reply. I thank you and pray that God's spirit may be with you, giving you guidance and direction in such manner that the cause of the Lord Jesus Christ may be honored, and that his kingdom may be spread

abroad throughout the world. I leave the case in your hands. Miss McCONNELL: I would like Mr. Samson to make the exact statement, as near as he can, that he made when he was asked if he kept the suspension act. I would like him to recall the words if possible.

Rev. J. S. T. MILLIGAN: I object to this, Mr. Moderator. Rev. Mr. SAMSON: I would like to make the statement.

Rev. J. R. THOMPSON: We have no right to bring in new testimony; no party has a right to bring up a new witness.

Dr. McALLISTER: It is too late for the brother to make

that objection.

Rev. J. R. THOMPSON: I know; I tried to raise it before. The MODERATOR: The point however is simply this: When a person is making his speech and calls upon some one who is better informed about the point that he makes than he himself is, it does not seem proper to refuse to allow him to ask that person to make a statement.

Ray. J. R. THOMPSON: But here is one witness question-

ing the appellant.

The MODERATOR: It is proper to ask Mr. Samson any question when the hour comes for asking questions that bear on his case; and if this has a direct bearing on the point upon which he is speaking the question will be in order.

A MEMBER: Has a witness the right to come to this court

and question parties?

The MODERATOR: If Mr. Samson is not through he will proceed.

Rev. Mr. SAMSON: I was through until that statement was

called for.

The MODERATOR: Mr. Samson attempted and did speak on the very point that Miss McConnell is asking him to give an accurate statement about. He has already spoken on that.

Mr. D. TORRENS: I was only going to refer to a point of order, that if there is any fact that Miss McConnell wishes to elicit it can be done through the other side. I think it is utterly disorderly to have this pro and con talking this way; it confuses members of the court, and we want to hear the rejoinder on the other side, and they can bring in anything that Miss McConnell wishes to have brought in.

Rev. Mr. SAMSON: I would just like to make that state-

ment.

The MODERATOR: You may, if it is in order.

Rev. Mr. SAMSON: The statement I made in Presbytery that was referred to as near as I can remember was this: When I was called up to state whether or not I had observed the sentence of suspension I arose and stated the facts with reference to preaching as near as I could. Now, I do not know as I could recall the language, but I stated as near as I can remember that members of the McKeesport congregation had been informed by members of Presbytery that the congrega-

tion would not be held responsible for the pastor's salary; that I had not received any salary from the McKeesport congregation and had been refused salary when it was due from the first of the month of January, when it always had been paid before that time. And the thought that was in my mind in making the statement was this: That if members of Presbytery had advised the congregation that they were not responsible for the pastor's salary, and now Presbytery was going to refuse her permission to accept the basis offered, because I had preached in another place in order that I might earn a living, it had this appearance to me, and I made the statement to which reference was made, - that they were cutting off our base of supplies in the congregation, and they were refusing us permission to preach in other denominations; and I used the expression that they were going to starve us into submission as the government about that time were doing with the Sioux Indians. I may not have been as courteous as I ought to have been; but you can see the circumstances about the statement, a member advising the congregations that they need not pay the pastor's salary, and I did not know but what they would refuse us permission to accept this basis because we had preached in other denominations, and censure us for having done that. So you can see in those circumstances the idea that was in my mind in the statement that

The MODERATOR: The next speaker is Mr. O. B. Milli-

gan.

Rev. O. B. MILLIGAN: Fathers and Brethren, I had determined yesterday afternoon that I would not say anything. I saw the feeling of fatigue manifested in the faces of members, as well as the movements of members, and came to the conclusion that the members of this court were in like condition with myself, that my feelings were the feelings of all who are sitting upon this case, viz., that we were sick and tired of it; I confess that I am, and I have no doubt at all that the greater portion of this court have heared all they want on the subject. And I would not say anything this morning if it were not for the fact that in two instances at least it has been insinuated that I had spoken things that I ought not to have spoken and that reflected upon some members of this court and others of our church who are not at this time members of this court, and also certain things that reflected upon myself; and my purpose in coming before you this morning is identical with the purpose with which I came before you the first day, viz., I mean to defend myself.

The first thing that was insinuated against me was that I called down reproach upon the elders of the Pittsburgh Pres-

bytery.

Mr. WALTER T. MILLER; I wish to raise a point of order. Is an insinuation a thing to reply to? Now I wish to

say in support of my point of order this; That the members of the court are tired of the indulgence of the Moderator, and they will not submit to any more nonsense in the conduct of this case. They are determined that the regulations shall be maintained exactly, and we are tired of long speeches over ground that we have gone over forty times, and claims that are not germane to this case. That is what we intend to maintain now, and we trust the Moderator will hold every one down to that requirement.

Rev. O. B. MILLIGAN; Isn't it fair that I shall have a

right to defend myself?

Mr. WALTER T. MILLER; It is not the place for a de-

fence; I submit; it is by the record we must go.
Rev. O. B. MILLIGAN; I hold this point; If this is not the place for a defence then it was no place for the insinuation.

The MODERATOR: The Moderator is placed in a very peculiar position as can be seen; and the criticisms that have been made on the Moderator render it all the more difficult. The Moderator knows he has been indulgent, but at the same time it has been thought best to allow a considerable amount of latitude consequent upon the peculiar situation in which we are placed. The speakers of yesterday while they traveled over a great deal of ground were at least in form replying to what had been said on the other side, and the book declares that in the rejoinders they shall confine themselves to what has been said on the other side. It is true they traveled over the same ground again and again. It has become a beaten path. We are all familiar with it. But the Moderator does not see that it is in his power to call a speaker to order when he is replying directly to what has been said on the other side. The speaker will proceed.

Rev. O. B. MILLIGAN: I submit to this Court that in my first address speaking with reference to the Elders' Convention that I used this expression: That the man who drafted or framed the call for the Elders' Convention misrepresented

us before the church — -

The MODERATOR: We cannot permit that kind of talk. Rev. O. B. MILLIGAN: Now, Mr. Moderator, the fact is

this; that expression had been magnified or added to until I have been represented before this court as having said this with reference to all who indorsed the call for the Elders' Convention. To this I have only a word to say: there are mentioned there names on that call for that Elders' Convention of men in the Reformed Presbyterian church for whom I have the greatest respect. I do not believe that any man in this court has any more respect for many of the men whose names are on that call than I have. I cannot forget the fact that one at least who is now very near the other world was one before whom I appeared when I was received into the Reformed Presbyterian church. And I know there are faces in this house to-day looking upon me whose minds will not or dare not accuse me of speaking or thinking against that saint of God. I have been with him in this his last sickness. as I believed, and when I was talking with him in his own home he requested me to go with him to the throne of grace, and there I went in earnest humble supplication that the God of Israel who had been with him all these years, even to old age and gray hairs, would not leave him now.

The MODERATOR: The speaker will please confine him-

self to the question.

Rev. O. B. MILLIGAN: I just want to say, Mr. Moderator, to the members of this court that I have respect for men who are represented on the call to that Elders' Convention, and I love them and reference them as much as any man in this court of the Reformed Presbyterian church. The first defendant in speaking about the matter of organization and what I had said concerning this memorial, or the memorial of his session, to the Pittsburh Presbytery, tried to justify his course on the ground that from newspaper reports he had come to the belief that there was really an organization, and on that ground he had prepared a memorial, or his session had prepared a memorial, and sent it up to Presbytery, in which he charges us with having formed an organization. Now I want to submit this question: Is it fair, is it manly, is it Christian - -

The MODERATOR: Please confine yourself to the ques-

tion.

Rev. O. B. MILLIGAN: I am going to confine myself to it. For any court to frame a memorial against any man on the ground of a simple belief—I claim, members of this court, that the fact must be proved beyond a preadventure, that the charge against such and such a person can be proved or is proven before such memorial can be framed or sent to the higher court. It is not right for any man believing something against another to memorialize him before the Christian church as being guilty of that, until he has grounds, and grounds by which he can prove or sustantiate that that belief is true.

But he says afterwards he did not think we had an organization, when we came to accept the basis of settlement that was prepared for us by the Judicial Committee; that afterward he had come to a certain conclusion when we made out statements, or certain of us made statements, before the Pittsburgh Presbytery that an organization had been formed.

Now bear in mind, members of this court, that that memorial had gone up to that court, and in that memorial there was reference made to something with respect to which he had not that certain conviction that a man in doing that which will have a tendency to bring the reproach upon the character of

a brother minister ought to have.

With reference to this basis of settlement, in order to justify his course in presenting that series of resolutions during the first meeting of Presbytery he said he was acting the part of mediator; that after the report had been circulated by some one through the newspapers with reference to that basis of settlement that had been agreed upon in the Central Allegheny church, there were members of this court who said to him that they were going to see to it that the church did not come down from her position or something to that effect; and realizing that there was going to be something done in Presbytery that would interfere with the acceptance by Presbytery of this basis of settlement he introduced these resolutions, if possible to shield us, if possible to secure for us from that Presbytery an acceptance of that basis.

Now. Mr. Moderator and Brethren of this court, if that man knowing the agreement we had reached in that committee-room and realizing that we were in that frame of mind when we would naturally suspect most anybody, especially those in that court, if they were to do anything that would have a tendency to destroy our acceptance, or take away our acceptance of that basis of settlement, wasn't it the part of that man to come to us and warn us that he was going to present those

resolutions?

The fact is this: I went out to Wilkinsburg from East Liberty on the train with Dr. George. I spoke to him on that train, and never once did he intimate to me that he was going to present these resolutions. And now realizing that we were bound together by a covenant bond in the Central Reformed Presbyterian church in Allegheny, and realizing that we were holding to that bond, wasn't it his part to come to us and say, "There is a movement against accepting this basis of settlement and I want you to accept these resolutions or at least to hold your peace with regard to them; for I realize that it is only by means of these resolutions that we will be able to effect this settlement on the ground of this basis?" But he did not. Rather than do that he rose in the court and sprung these resolutions upon us.

Now, Brethren, bear this also in mind: When these resolutions were presented to that court every one of the five of us were bound by that basis of settlement to hold our peace and say nothing with reference to the East End Platform. It ask, is it fair for this court, or was it fair for the Pittsburgh Presbytery, to expect us to hold to that basis when the basis itself had been violated by one who was instrumental in the framing of it? And it was on that ground that I withdrew my

acceptance from that basis of settlement.

Again it has been remarked with reference to that expression which I used that it sounded very much like blasphemy. Brethren, I do not ask that brother to make apologies to this court for me with reference to that expression. That expres-

sion, if it was blasphemy, will be charged against me at the great white throne. If I intended to do dishonor to the Lord Jesus Christ, He will hold me responsible. And with reference to that expression permit me to say now that if I were to be called this moment to meet my Judge I would have no fear with regard to the motive and purpose which I had in using it.

But I do believe, Brethren, and I cannot but say now that the brother has not driven that belief from my mind, I do believe that in this matter he has acted the part of a dual personality. I cannot banish that thought from my mind. It is there and it is not there through any fault of mine, it is there

by his own fault.

And now I am going to conclude with just a word with respect to the sentence. The second defendant said we had no ground of appeal from the suspension. First, he proved this from the 18th chapter of Matthew and 15th verse. He says that the Presbytery took us and plead with us as it became brethren in Christ to plead one with the other. Well, Mr. Moderator and members of this court, how did Presbytery do this? They began with memorials. They followed these memorials with a form of libel prepared against two of the seven. The committee on discipline followed up that form of libel with what has been presented to you, and I need not go over it. Then we came to the basis of settlement that was brought before the court, and the court speaking the words of my brother would not accept it unless there was something done to defend the church. So the Presbytery has gone on pleading with us.

I submit to the members of this court, is that the way brethren plead one with the other? If that is the idea of what is becoming to brethren in Christ then I confess I am thankful that that idea does not run in my mind. Oh, had you come to me as a brother and talked to me with reference to that East End Meeting - ay, and had you come to the door and knocked you would have found there was no secret meeting going on within; and had you admonished me or remonstrated with me with regard to that, and had you shown me that what I did was wrong, I would as a Christian dare to repent before the eyes of the world. That was not done. That is the way the Pittsburgh Presbytery fulfilled that command of the Lord Jesus Christ. I submit to the members of this court that that is not the way the Lord Jesus Christ meant that this court or the Pittsburgh Presbytery should deal with us under such circumstances.

Now, some quotation was made with reference to this suspension from the United Presbyterian Book of Discipline and Government. I have simply a practical illustration to set before you in opposition to that. A certain member of the Monongahela Presbytery of the United Presbyterian church not a great while ago violated a certain law of the United Presby-

terian church. I need not and will mention names. The circumstance is well known to those who live in the bounds of Pittsburgh Presbytery. That man appeared before the Monongahela Presbytery and the Monongahela Presbytery found him guilty of violating a law of the church. What did he do? He presented an appeal to the superior judicatory. What did that appeal do? Did it take him from the pulpit? Did it take him from the pew, from the rights and privileges of all members of the United Presbyterian church? No. Mr. Moderator and Members of this Court, that man preached in the United Presbyterian church; that man communed in the United Presbyterian church; that man has enjoyed all the rights and privileges of a member of the United Presbyterian church, and he would enjoy them to-day if it had not been that he has withdrawn from the United Presbyterian church. received papers and gone into the Presbyterian body. True, the Assembly of the United Presbyterian church has given evidence that it would have endorsed or ratified the verdict of the Monongahela Presbytery; but until the assembly met, and up until the assembly had issued that case, that man enjoyed all the privileges of the United Presbyterian church. Those who have drafted the law, and who are governed by it, should know how to explain it. That is the interpretation the United Presbyterian church puts on her own law. I cannot see how it is that a member in our church should undertake to put another interpretation upon it.

Mr. Moderator, with these remarks I submit my case to the

decision of this Court.

The MODERATOR: The next speaker in order is Mr. J. R.

J. Milligan.

Rev. J. R. J. MILLIGAN: Fathers and Brethren, in my remarks the other day I called attention to this idea that we were not here to discuss the merits of this case, that is, whether we were guilty of following divisive courses; that we were here to see whether we have received justice at the hands of the Pittsburgh Presbytery. Yet the merits of the case have been discussed; they have been discussed very fully; and the position of the Liberals has been very fully discussed. I want to say in regard to that that the position of the Liberals has been defined, and they have been represented as believing and holding that, which I for one have never professed to hold or believe, and which I defy any man to find one word written by me to the effect of the ideas that have been presented on the floor of this house by the other side.

In my trial I did not utter one single word in opposition to our principles. My speech on the trial was printed and it has been read. If you go to the files of the paper in which that speech was printed I defy you to find one single word against the principles of our church. I did say very much against a certain present position of our church, which I hold to be inconsistent. I said very much about that, and because I did that it was said by some that I said harder things against the church than any of the others. But I want you to read that speech, and I want you to find one single word I said against the principles of our church.

And now it becomes me, in order to defend that, to give my understanding of the second plank of the East End Platform. That is the plank which is specified in our libel. It is this; "That persons ought to be admitted into the Reformed Presbyterian church on their acceptance of our Testimony and Terms of Communion without binding them to our explanations in the matter of political dissent or in other questions." I like the explanation Mr. Reed gave of that on yesterday. We have no objection to the position of political dissent. It is only to the explanations of that chapter of political dissent in our Testimony; and the explanations of that chapter of political dissent since some years back have been to the effect that we can sit on juries, that we can vote on amendments. And thus there are men in our church, who as members might stay in the church but as officers who have to exercise discipline in the church cannot conscientiously put a man out of the church for incorporating by voting for an officer, when perhaps the elder himself, who is sitting there as a judge, has incorporated by voting for an amendment.

Perhaps the defendants here who believe that position conscientiously enforce discipline, but those who do not believe that position cannot conscientiously enforce that position. And there are members on this floor who if I would call upon them have run against that snag in enforcing discipline since the act of 1889. It is impossible for us to do it and do it conscientiously. For my part I cannot put a man out of the church for voting for an officer on the ground of incorporation when I believe he has incorporated in the same way by voting for an amendment. And that plank in our Platform may be just as conservative as you want it; and so it is conservative.

And then again, our position on political dissent. It means that when we explain the terms of communion at the Lord's table, or before going to the Lord's table, a person cannot go forward and take tokens of admission to the Lord's table on his explanation but on the terms of communion themselves; and we have said that we take the 30th chapter, which is the chapter on political dissent, all of it, every single word of it, But I do not propose that any person shall explain that chapter and tell me you can vote on amendments and not incorporate, and that I can go forward to the communion table on that basis; and that it is in that sense that the Covenant of 1871 refers to incorporating by any act. It takes it all in, and

there we stand on that very basis; the most conservative that

it is possible for this church to take.

But here is another point. There are wide divergencies of views in regard to this matter. There are some who hold that you can vote on amendment and some that you cannot. Now you have heard here that when this Synod rescinds the act of

1889, Mr. McAllister will withdraw from the church.

Dr. McALLISTER: I said nothing of the kind. I said this: If the Synod of the Reformed Presbyterian church would make it compulsory on me not to vote in case of a prohibition amendment, then I would have to withdraw from the church. The rescinding of the resolution of 1889 would not do that. It would leave it where it was when Father Sloane voted for an amendment, and when this brother (Rev. D. S. Faris), who is now opposed to it, voted for the amendment to the constitution of the State of Illinois. Father Sloane and this brother voted before we passed that resolution. If that resolution were rescinded, I would still have a right to vote.

A MEMBER: I call the gentleman to order. He is intro-

ducing new testimony.

The MODERATOR: He said this before.

Dr. McALLISTER: I did not enter into these particulars, but what I said before was that if the Synod made it compulsory upon me not to vote for amendments I would be con-

strained to withdraw.

Rev. J. R. J. MILLIGAN: I have just to say that if the act of 1889 is rescinded the act of 1868 is then the position of our church which prohibits him from voting on amendments, and prohibits that brother (Rev. D. S. Faris) from doing it. And so I stand by the statement I made. There are men who, if this position be held to be the position of the church, cannot conscientiously support the position of the church, and they will have to withdraw. Now there are two parties having differing views on that chapter of political dissent. Some will have to withdraw if they stand one way; some will have to withdraw if you go the other way. Now then, we are willing to take that chapter on political dissent as it stands. If it is not explicit enough now, make it explicit and let it go down in overture, and let the church have her position and stand on it till the judgment day. Now, there is where we are. Who is going to get out? I have heard it circulated since I came here that all we want is to get a vindication, and then we are going to leave. Just give us a chance! Just give us a chance! We want to stand on that Testimony, but I am not going to take Dr. McAllister's explanation of it nor Dr. Crozier's explanation. What we want is the church to have an explanation of her Testimony, and if our Testimony is not explicit enough now, let us make it so. But right here; we have a particular explanation of that point that was brought up by the Doctor in regard to my inconsistency.

However, I will first explain another statement which is to the effect that one of the men who had not heard my statement at the first meeting of Presbytery voted against me without a single witness. I refer to an elder from Beaver Falls. He says the reason that elder voted was because of some remark I made on trial that if a student in the Theological Seminary I could not take my ordination vow. Here is the statement: ... I cannot conscientiously discipline a man for voting in one way and let his brother go free for voting another way." And then men say if I have changed and cannot maintain discipline, I ought to leave the church. Why, it is the Covenant of the church that has changed. When I took my ordination vows to maintain the purity of the church, it did not permit men to vote in any way for amendments or anything else. But let me tell you, if I were a student in the Seminary to-day I would not take ordination vows and promise to maintain discipline on what I considered an inconsistent basis. And neither I would. Who is responsible

for this change in the church? Am I?

That brings me now to the explanation of my inconsistent position. I want to say that I did vote in 1889, and that it was inconsistent for our church, as I understand its position on political dissent, to allow members to vote on that amendment. I went home and I voted for that amendment. And do you know this: that although I voted for that amendment that did not convert me to the idea that Synod's action was right. I adhere to that to-day. I believe it is inconsistent with the position of our church. But there are certain things which had weight in influencing my action. The position of the church taken in 1889 had weight. Her opinion of Dr. McAllister's opinion had weight. And then, above it all, there was the excitement in the case, and there were mothers in my congregation whose prayers and whose tears were mingled with my own on behalf of sons who were going down to drunkards' graves. And I went and voted for the amendment, and I know it was inconsistent with our position of political dissent, and there I stand to-day. And had I voted in this Synod for the rescinding in 1889. I would vote the same as I voted then, and if it is inconsistent you can have

I come to my second point. I have called up this matter in regard to our position of political dissent. I hope you understand that we are not opposed to our church's position of political dissent. We are opposed to some persons explanation of it; and when explanations are going to crowd us out as men who exercise judgment, we are going to oppose men's

explanations.

Another thing has been brought in. I think it hadn't any place here to the extent it has had, and that is in regard to this organization. For one reason I am very glad it has been

discussed so fully. I complain that we were convicted and suspended not on that for which we were tried. There is not a specification in the libel concerning an organization, and vet the speeches that have been made on this floor of Synod certainly have convinced you that we were convicted of following a divisive course, and that we were suspended because of the belief that we were members of an organization. A great deal of this talk about an organization, Mr. Temple's confession and Mr. Reed's, &c., took place at a meeting of Presbytery at which I was not present. I am not responsible for Mr. Temple's statement. I am not responsible for Mr. Reed's opinions. I am only responsible for my own, and when I am put on trial for being a member of an organization I am ready to stand trial for that; but when I am on trial for attending a meeting and adopting a platform, and circulating it without one single specification in regard to an organization, I do not propose to be convicted for being a member of an organization. I want you to bear that in mind. And we can just say here, there are various views in regard to whether an organization was formed. There are various views in regard to the Commission. I suppose if we had asked members of Pittsburgh Presbytery just before that Judicial Committee met, we would have had ideas like this: "It is a committee." "No, it is a commission." "No, it is a committee." But you would have had just as varying views in regard to that Commission as you have in regard to an organization. And I say again, when I am put on trial for being a member of an organization I am ready; but I do not think I ought to be required to make my defence until I am put on trial for it.

And this brings me to a point in regard to that affidavit. It has been stated here (suggested to a great extent) that I did not have any affidavit; that I read a telegram stating there was no organization. I state again that I read that affidavit of Mr. Carson before the Pittsburgh Presbytery. Is Mr. Kilpatrick here? (Mr. Kilpatrick rose to his feet.) I would like to have you make a statement in regard to that affidavit.

Rev. A. KILPATRICK: He read an affidavit; and read, he said, the name of the alderman before whom it was taken.

Rev. J. R. J. MILLIGAN: Very well; that is Mr. Kilpatrick's idea. He was one of the prosecutors. I have that affidavit in my pocket, and whenever it is necessary to prove that there was no organization I am ready to use that affidavit to that effect. If the Court think it is necessary to this case, I will produce it; but I certainly think it is not because you will remember there is not a single specification about an organization. It was very proper then for the Pittsburgh Presbytery to take into consideration the report that there was an organization in order to begin a trial. Memorials were presented. But when they presented their libel and arraigned

us, and did not specify an organization in that libel, I submit the fact of there being an organization, or the fact that there was not an organization, has nothing to do with the decision. But I have this affidavit in my pocket, and I am ready to produce it any time the Court asks for it.

Rev. D. S. FARIS: Let us hear it. It was before the Pres-

bytery, was it not?

Rev. J. R. J. MILLIGAN: Yes, sir; it was read to the Presbytery. It was read, if I remember correctly, after my trial and after I was found guilty of following a divisive course.

Dr. McALLISTER: I think not; I think it was read by Mr.

Milligan while on the floor.

Mr. D. TORRENS: It does seem to me that it has no place here. If it is a regular document that was before Presbytery, it ought to have come up with the record.

Dr. GEORGE: It was not Presbytery's paper at all.

Rev. J. R. J. MILLIGAN: I want it to be distinctly understood that it should not be read in this case because I was not tried on a question of organization. Prof. Willson brought that out in the trial.

A MEMBER: I want to know if those who prosecuted the case laid any stress on the fact of there being an organization?

Rev. A. KILPATRICK: Yes, Prof. Willson brought it out.

Dr. McALLISTER: And we hold to it.

Rev. J. R. J. MILLIGAN: Yes, hold to it! It is not specified in the libel. Hold to it! What were we tried for? I maintain we were not tried for anything not specified in the libel. Hold to it!

Dr. McALLISTER: Hold to the libel is what we will do.

Rev. J. R. J. MILLIGAN: I will hold to this.

Mr. D. TORRENS: I submit that this is new matter and ought not to be heard.

Rev. J. R. J. MILLIGAN: I submit to whatever the Court

may decide.

The MODERATOR: The speaker will proceed.

Rev. J. R. J. MILLIGAN: You have heard about that organization, and a good deal about its secrecy. You have heard that it had all the elements of secrecy. It was asserted here that we would not take a single step without consultation with each other. I want to say this: That Dr. McAllister and Mr. Temple entered into a more secret association than ever I was with Mr. Temple. Mr. Temple has his own course and he pursued it. I was tried alone ard I have pursued my course, and I want to maintain that from the very first I did that, and I will prove it before I am through.

And I wish to say this in regard to Dr. McClurkin, that I did not know that he was going to the United Presbyterian church until the evening before he took his certificate. He sent me a letter about other things and mentioned that merely as an incident. I did not know that he had a letter that he

was going to make public until I saw it in the *Commercial Gazette*. I did not know that Mr. Temple was going to the United Presbyterian church until I saw the knowledge of the fact in the paper. That is how we were bound together and

one could not act without consulting the others.

Then again, I state I had done that from the very first. think I can prove it by reading a letter which I received from Dr. R. J. George when he was at Newburg immediately after the first meeting of Presbytery. He wrote to me at that time, and the letter shows that he did not think I was acting with the rest in secret consultation: "My very dear brother: I take time to write you because I failed to have opportunity at the close of Presbytery. I could hardly be satisfied to have Presbytery adjourn after hearing your statement of your position without having taken some action to remove from you every shadow of suspicion thrown on you by your connection with other men who have gone so much further than you have ever desired to go. But I do believe that all felt impressed by the open, earnest and brotherly tone of your address. For myself I want you to know and feel that my whole heart responded to your words, and I want to grasp your hand in unbroken friendship. I could not think that you would approve of much that was said by the others, and was so glad that you had the independence to dissent from some of their

Now I maintain the charge made that we had a secret organization and that we would not do anything without consulting the others, all vanishes. And then these statements that others have made on the floor of this Court in the speeches that have been presented by the different parties, I did not know the line a single one of them was to follow; I never read one of their appeals until I saw them in the paper; I had my own course to pursue, and I pursued it to the end, and I am here yet following my own line of action. Dr. McAllister said, "Having all the elements of secrecy." I cannot understand it. But then Dr. George said, "That which in some sense was a secret meeting." First, it was held nearly a year ago. Second, it was discussed ever since. Third, who knows all about it? Well, I submit if that is any reason for it being a secret organization. And I want to illustrate this.

The Elders' Convention was held nearly a year ago. It has been discussed ever since. Who knows all about it? Who knows who framed its call? Who knows who inspired its conception? That meeting was held in my church. I never knew a thing about it until the Convention was all over.—not a single word about it. That meeting was held in my church without my knowledge and without my consent.

And just here I wish to say a word about how these brethren talked to us. Dr. McAllister said, and I am not misrepresenting him, that he talked to these brethren as he had opportunity or occasion. But he never found occasion to speak to me about it. I live in the same city with him. I am a member of the same board of missions, the Central Board of Missions, and we met every month together. Yet he never said a word to me about it. He takes up Matthew the 18th chapter, from the 15th verse, that, "If thy brother shall tresspass against thee, go and tell him his fault between thee and him alone; if he shall hear thee, thou hast gained thy brother." He says it was a personal matter. Was he acting as a member of a court of God's house? Suppose a report comes to my ears about my brother having transgressed. Am I bound to go to that brother or not? As a member of the Court that has jurisdiction over him I submit it is my business to go and talk with him. "If he hear thee, thou hast gained thy brother." He said we did not hear him.

As quick as they met these memorials came in: then came the Committee on Discipline. The discipline began with the chairman of the Committee on Discipline. That is talking to your brother, is it not? Did we hear them? They asked us to pray, and we prayed with them. They asked us to make statements, so that by a candid, open expression of views we might be brought to see eye to eye. Did we make those statements? Yes, we did. They said. "We will appoint a Judicial Committee to settle the matter." Did we hear them? They made their basis of agreement and we accepted it word for word. Did we hear them? Oh, I think we heard them. When we made our statements they said it was unkind to say that they might be used as evidence against us; yet they used them. The understanding was that the basis of settlement settled the matter. There was nothing to be brought in behind it. Did they bring anything in behind it? They brought the resolutions behind it, that made two of the young men withdraw: and they put in two clauses that made me withdraw. Did we hear them? Did they treat us fairly? I ask you to decide, did we hear them? "If he shall hear thee, thou hast gained thy brother." Who is to blame for us not being gained?

I want to go further in regard to this matter about talking with people. Professor Willson listens to my preaching. He and I were down south at the time of that Elders' Convention. Did he say anything about it? We ate together, we slept together, and travelled together for a week: my elder told us on the floor of Presbytery that he asked Prof. Willson to speak to me about these matters before he went away, and he acknowledged he never did it, never said a word about it.

Then about the Elders' Convention. I ate supper with my elder the night before I went away. He had already invited that Convention to meet in my church. But he did not tell

me that night that he had done so. Who knows all about the Elders' Convention. It must be in some sense secret.

Then there has been another matter brought before you,—the reasons for Presbytery's action, and I want you to notice this. The first reason given is, because we organized a secret organization. Now, as I said before, I can understand how, if they heard the report that there was an organization, they might take some steps to bring us to an account, to an understanding of this matter. I grant that. But the second reason is, the condition of the congregations. That was referred to in the meeting of Presbytery, and Dr. McAllister has referred

to it, and to my congregation especially.

I want you to understand that it is a very sad picture over there, and that I have heart-burnings in regard to that matter too, and I want to say this, that the picture he presented of that congregation is the picture of it now, not before Presbytery's action. Why, the night before Presbytery took action against me, my congregation, with other things which perhaps I ought not to mention, as it is a personal matter, passed a resolution to extend the church and put an addition to it in order to enlarge our Sabbath school, and that subscriptions or collections might be taken through the congregation. We were in joy and in love. There was not a home in that congregation into which I could not enter, and which I did not enter and perform pastoral duties. There was not a single ripple on account of the East End Meeting. There was not very much of a ripple on account of the Elders' Convention, although there was a little the next Sabbath when I protested against the meeting being held there without my knowledge, without my consent, without the consent of the Board of Trustees, and without the consent of the session. I did protest, and I say I will protest against this; and I ask this Court if they would not protest against such a thing. That is all the ripple there was. It smoothed down in a little time afterwards and went on peacefully. The picture he has drawn of my congregation is a picture of it now, not before Pittsburgh Presbytery's action. It was not the basis or ground of their taking action against us. The same thing can be said of all the congregations.

I want to speak now in regard to the inadmissibility of the libel. I complain against the admissibility of the libel because there were no witnesses to prove the allegations of the libel, and because there was no admission of the plan or purpose of following divisive courses. There has been objection made to that, that we are not charged with having admitted following a plan or purpose to divide the church. I want you to notice the language in an editoral in the Reformed Presbyterian and Covenanter for January 1891. This editorial was written after the trial of the five, and before I was tried. It says, "The libel stripped of all technical phrases was for

holding and propagating views opposed to and subversive of the church's position of political dissent, pursuing divisive courses, and insubordination. The facts were all admitted." I want to know what facts? Why the facts contained in the libel when the libel was stripped of all technical phrases.

The MODERATOR: Are you replying to this?

Rev. J. R. J. MILLIGAN: I am replying to what was said in the speeches on the other side. I have appealed or complained because I did not admit or deny having admitted the plan or the purpose of following a divisive course. They sort of ridiculed the idea, and I am showing that there was ground to make that complaint because if I had come to the meeting of Presbytery in January, when I was to be tried, and admitted the facts, I would have admitted the facts contained in the libel, which were holding and propagating views which were subversive of the church's position of dissent, pursuing a divisive course, and insubordination.

The MODERATOR: The speaker must confine himself to the points made by the defendants.

Rev. J. R. J. MILLIGAN: That has been made if I mistake not.

The MODERATOR: They did not make the point in the

magazine.

Rev. R. J. MILLIGAN: I am making that point. Then I come back to the point that there were no witnesses to prove the allegation. The defendant said there was no necessity of witnesses, that the Court itself was the witness. You all remember that. I want you to notice that the Court itself was They quote from Steuart's Collections, if I rethe witness. member correctly, and they quote this saying, "That confessions, if judicial, are the very strongest proof." They consider our statements as confessions and hence the very strongest proof. Let us just for a moment admit that "Confessions, if judicial, are the very strongest proof." But what about that "if judicial?" Does that mean that statements made in one meeting of Presbytery are proof for the Court at a meeting of Presbytery held three months after, when the Court is made up of different members? We have proven that five members of the second Court were not members of the first. Is that a judicial confession? Why if I understand what "judicial" means it is confessions made during the progress of trial. We were not on trial when we made our statements. The fact of the matter is, Presbytery went into a Committee of the Whole, not by motion, but it amounted to that. It was for the purpose of settling the matter, or seeing eve to eve, and of mutual confidence being restored, that we made those

But I have another work. I quote here from the Encyclopedia: "Declarations. In criminal proceedings" —

Dr. McALLISTER: What Encyclopedia are you reading from?

Rev. J. R. J. MILLIGAN: Chambers'. "Declarations.—In criminal proceedings in Scotland the statement made by a prisoner before the magistrate or the clerk is called his declaration. It is the duty of the magistrate to take this declaration immediately upon the prisoner being brought to him. The magistrate must previously inform him that it is entirely at his own option to declare or not." Now this the Court did. "But that if he choose to declare, the declaration may be used in evidence against him on his trial." The magistrate is to inform him of that, and that it may be used against him on the trial. Our Court told us it was unkind to intimate they might use our declarations as evidence against us on the trial. And then further: "This declaration was taken down by the clerk of the Court, the magistrate usually dictating to him the form of words, and then the declaration ought to contain the name, age and designation of the prisoner, the parish and county in which the crime is said to have been committed; when completed it must be read over to the prisoner, who, if he is able to write, signs every page of it along with the magistrate."

Now I submit if there was a single declaration of ours made in that way, or did we sign any declarations that should properly be used against us? The only record in the Minutes of Pittsburgh Presbytery is that "We attempted a defence of our connection with the East End Meeting and Platform." Then they draw from that these facts contained in the libel, attending the Meeting, adopting the Platform, and circulat-

ing it.

Again there is "Confession and Avoidance" which you will find in the same Encyclopedia under "Confession:" "Confession and Avoidance, in pleading at common law, is the admission of an allegation by the opposite party but with the addition of some circumstance with deprives it of legal effect. As for instance, admitting that an assault was committed but alleging that it was committed in self-defence." Whatever confessions we made were made as "confession and avoidance." There were certain facts, but we declared that they were for the purpose not of disturbing the church, but for the purpose of correcting misrepresention.

Another thing in regard to these confessions: "Confession in both Scotland and England to be admissible must have been made without any promise or pledge held out to induce it." A confession, to be admissible, must be made without any promise or threat held out to induce it. In our case there were both. In our case there was the promise that we were to make our statements in order that by a frank, open and candid expression of views we might be brought to see eye to eye, and mutual confidence be restored; and the threat was

that if we could not see eye to eye, and if we did not make statements, a committee was to be appointed to institute the

process, prefer charges, and frame a libel.

I say that our statements at the Pittsburgh Presbytery on October 15th are not admissible because they were made with both a promise and a threat, held over us to induce us to make those statements; so I maintain here once and for all that that libel was without a single witness. We were convicted without a particle of evidence, and so we stand condemned. I want you to decide if that libel is admissible; and if that libel is not admissible, it stops the whole proceedings, and everything that follows is unjust. They should have gone home and gotten their evidence and put it on the libel, and then come and tried us on that.

I pass from that to the matter of the breach of faith on the part of the Committee. We charge this upon them, and they charge it upon us. Now there is where the matter hangs. I believe every charge we made as a matter of fact, was admitted: that they said it was unkind; they thought the matter settled; there was to be no resolution, nothing behind it; and that they gave us their hands in fraternal salutation. All this matter was admitted. But they say we circulated a report that the victory was for the liberals, and it aroused the church, and Brother Carlisle wrote a letter, and Brother Foster wrote a letter saying, "You must hold the church to her principles and never surrender." And so they found that in order to have that basis pa-sed they would have to present resolutions.

Now, I want to notice here on what they base that. It was a clipping from the Commercial Gazette of October 23rd. It has been stated here that the article in the Banner was based largely on the article in the Commercial Gazette. Brother Carlisle stated that what he wrote as to what he heard was from hearsay; it was not from letters written by us. Brother Foster did not say whether it was hearsay, through the paper, or from letters written to him. And so we have to conclude it was only hearsay. But all this was caused on account of that article in the Commercial Gazette.

Let us see how much depends on that breach of faith on our part. It destroyed the possibility of the basis being accepted; it brought in the resolutions which caused the five to withdraw their consent; this brought on the libeling of the five; then followed their suspension, then followed everything. Now, if we are responsible for the Commercial Gazette report, we are responsible for all that followed. I have said the church was aroused and letters written. Really then that item in the Commercial Gazette is responsible for the whole trouble. Who is responsible for it? The defendants say, the conservatives are not responsible. They hoot at that idea. Well, it is perfectly natural that they would not give it out,

that the liberals had won a victory. I think Mr. George said this: "The report that it was a triumph was wrong." Again he says: "It bears the imprint that it was given out by some one of the liberals." "This account gives evidence that one of the six was connected with the information." Again: "These reports came in disregard of our agreement not to disclose what occurred in that meeting." I want to say here that our understanding was, we were not to disclose the basis of agreement.

Dr. GEORGE: My remark in regard to bearing the imprint of one of the six did not refer to the article in the Commercial Gazette, but to the article in the Banner: and one of the six

has mentioned his connection with it.

Rev. J. R. J. MILLIGAN: He wants the church to know that the reports in the newspapers hindered the acceptance of the basis. I am not misrepresenting you.

Dr. GEORGE: What is that?

Rev. J. R. J. MILLIGAN: You want the church to know that the reports in the newspapers hindered the acceptance of the basis. Now what was the article in the Gazette o' October 23rd? I think Dr. George had it in his hand. I have it here. I remember it perfectly well. I am going to read it to this Court: "Victory for the Liberals. The Conservatives of the Reformed Presbyterian church find the seventeen not

guilty of heresy."

Those are the head lines. Well, they are startling; and I confess when I saw it I said, "Well, the game is up, for the trouble all along has been that there has been too much weight given to the newspaper reports; instead of coming to us they took their newspaper matter for their proof." "The liberal faction of the Reformed Presbyterian church has secured a victory in the action of the Committee on Investigation appointed by the Presbytery. A meeting was held yesterday afternoon in the Central Reformed Presbyterian church, Allegheny, of the Committee appointed at the last session of the Pittsburgh Presbytery, held at Wilkinsburgh, to investigate certain so-called heretical views expressed by seventeen clergymen, made after the last meeting of Synod, and to ascertain if these views were opposed to the doctrines held by the main body of the church. Of the seventeen clergymen charged with heresy there were present at the meeting the Revs. J. R. J. Milligan, O. B. Milligan, E. M. Milligan, W. L. C. Samson, Henry W. Temple, Hugh W. Reed and J. K. McClurkin. The meeting was a closed one and was presided over by Rev. J. W. Sproull, the Rev. Mr. George acting as secretary. What action was taken at this meeting has not been learned, but judging from the little of information that has leaked out, and the smile of satisfaction that beamed from the countenances of some of the members who appeared before the Committee, it is safe to conclude

that the result of the meeting is a decided victory for the liberals." They judged not from anything gotten from us, but because we were smiling. "The Rev. J. R. J. Milligan was seen last night by Commercial Gazette reporter, and while he refused to say anything about what was done at the meeting, he seemed to be in an excellent humor." Well, I was in an excellent humor; I was to be married the next night. "I am not at liberty to tell you what was done at the meeting this afternoon, but I can say that there were no charges made nor was there any trial. We merely discussed our views in a friendly way together and came to the conclusion that practically we agreed with each other upon these vexed ques-"Rev. Sproull, a conservative, and chairman of the Committee, was also seen, and he, too, refused to say what was done at the meeting, but he said that the meeting was an exceedingly harmonious one, that there was no special divergence of views, and that it would be unnecessary to take any action against the liberal members who appeared before the Committee." I submit before you and my God, if the liberals are responsible for that, and if that article was before Mr. George and the members of this Court, whether he had any grounds to put in his resolutions? He said that we had committed a breach of faith. I turn it on him. The breach of faith yet remains, because the reason he gave for putting in the resolutions are without foundation. There you have it.

I want just to add a little more in this line. Will Mr. Stranahan say what he knows about the settlement of this case, and about the report sent to their congregations in regard to it. I refer to Mr. Stranahan, the elder from Mr. Crowe's congrega-

tion.

Mr. STRANAHAN: All I have to say in regard to that is, Mr. Crowe got up in the pulpit and said that he had received word from Mr. Sproull that it was settled, and we were all

rejoiced that it was settled.

Rev. S. J. CROWE: I was assisting Dr. Sproull at communion just before the Commission sat, and had been exceedingly anxious to have it settled, and I asked him if he would be kind enough to sent me word if they settled the matter. And he sent me a postal, and on that card was the single statement, "Difficulty amicably settled." I announced that to my congregation.

Rev. J. R. J. MILLIGAN: I think Dr. Sproull had a perfect right to send that. The only thing we were bound not to do was to reveal the basis of agreement; that was to be brought out at the meeting of Presbytery, not before. But I submit now if the facts they brought out before you as an

excuse for bringing these resolutions are valid.

Do appeals stop suspension? Now I complain because the suspension was passed after an appeal; and I read from our own Book and from the United Presbyterian Book in regard

to this matter. On the 80th page our Book says: "An appeal is the removal of a case already decided by an inferior judicatory to a superior by a party aggrieved." I have quoted it correctly. There has been great stress laid on the clause, "Already decided." "An appeal is the removal of a case already decided." Well I think the thing was decided when I was found guilty. It looks to me that way. When I was tried for following a divisive course and found guilty, it was decided. An appeal is the removal of a case already decided."

That looks to me like good common sense.

But I go further, the relevancy was decided when the vote was taken. The relevancy was appealed; it removed the case. The admissibility was decided; the appeal removed the case. That looks to me like common sense. But we had a good deal of reading from Steuart's Collections, page 4.6: "Sentences are in themselves null when pronounced against the general acts of the church, or by an incompetent judge, such as the sentence of Kirk Sessions against Ministers, or even by Presbyteries and Synods, when the process is carried and admitted before their superior judicatures." When we appealed we removed the case and that sent us up to the superior judicatory. Our appeal from the sentence of guilty suspends the case so far as that court is concerned, because we sent it up to the superior court by our

anneal.

But then on the next page, section 11, as to the effect of appeals, reads: "They do not sustain a suspensive effect but a devoluting effect." I am translating the Latin in which it is given, and I believe I translate it about as the Doctor did. Now, suspending there means stopping the trial altogether. An appeal has a devolutive effect; it develops the case into the next superior court. That is what it does. It develops the case by my appeal into the next superior court: "An appeal made by parties should sist the execution of the sentence appealed from, only while the appeal is duly and diligently prosecute." When I appealed from the conviction it stopped the execution of that "only while the appeal is duly and diligently prosecute." My appeal was "duly and diligently prosecute" when I made my appeal and sent it within ten days up to Presbytery, and am here to meet it. My appeal has been "duly and diligently prosecute" all this time, hence the appeal stops the decision to that time. "And may thereby be determined, otherwise not." Determined here whether my appeal is sustained or not sustained. That is if it is not sustained by this Court, then Pittsburgh Presbytery has a right to go on and execute the sentence; but she has no right to execute that sentence before. And I claim that according to the Scotch Law and Steuart's Collections my appeal stopped the execution of the sentence until this present time.

And then, if this Court sustained my appeal, it stopped it altogether. If it does not, then Presbytery can execute sentence, and not before. I think that is common sense. The idea that a man cannot take an appeal and stop anything until the sentence has been gone through, is perfectly absurd. A man is arrested and is on trial for debt. The court finds he owes that debt. He appeals to the next court. What for? Why to keep them from levying on his property, and the higher court can either decide his case for him or against him. But if they decide for him, and they have gone and levied on his property, where would his property be by that time? Why certainly an appeal stops the case when they appeal from the sentence of guilty as found. I do not believe I will say anything more about that.

I want to notice now some charges made against me. 1. It was said I had prejudged the case of the five, and had no right to charge these five men that voted against me without any evidence, with doing what I have done myself. I want this Court to understand that I gave my decision according to the law and evidence; they had no evidence. I was content, as a member of that Court, to vote against the sentence of being guilty; the other men without any evidence voted to admit the libel, and to find me guilty. Now there is the dif-

ference.

2. I was so intimate with Dr. McClurkin that I should not be taken back into the church. Well, I am very thankful the man has paid me that compliment.

Dr. McALLISTER: Are you quoting my language.

Rev. J. R. J. MILLIGAN: I believe I have got it here. "Because of his intimacy with a gentleman who is considered a leader in this case, and whose known views are that voting at elections should not be made a condition of membership." I know to whom he had reference. That reference was to Dr. McClurkin.

Dr. McALLISTER: That is true. But go on. What did I say further?

Rev. J. R. J. MILLIGAN: And that because of that my case should not be considered differently from the rest.

Dr. McALLISTER; That is what I want.

Rev. J. R. J MILLIGAN: That my case should not be considered differently from the rest. Well, he does not want any of us to go back, or o be sustained in our appeals; and so I say again, there should not be any difference made in my case because of intimacy with Dr. McClurkin. I want to ask this Court if they think that Dr. McClurkin's views are my views? Has Dr. McClurkin by his writing that letter without my knowledge, by his withdrawing from the church without my knowledge, and from the fact that he has withdrawn from the church, shown that what he holds is my opinion? I leave that to you. 3. Because I have no right to claim that I should

have the old basis instead of the new. This brings me to Dr. George's request to show how I differed from the rest, and on what ground Prespytery should have offered me the old basis. Is that right?

Dr. GEORGE: That is right.

Rev. J. R. J. MILLIGAN: I want you to notice that when the resolutions of Mr. George were adopted in Presbytery, that then the motion for the adoption of the report was called up; the five stated that, the Court having taken the above action, they withdrew their assent. Now these are matters of record. Then the Committee was given power to prefer libels, etc., and then follows the resolution: "That J. R. J. Milligan and A. W. McClurkin not being present, the report

be laid on the table so far as it related to them."

Now notice one or two things. First, either Presbytery is responsible for the young men not getting a settlement on the basis; or the young men themselves are responsible, because they withdrew their assent; I hope you catch the idea. Who is responsible that we were not allowed to settle on that first basis? Either Presbytery or the young men. Now that is settled. If the young men were responsible because they withdrew their assent, then I should be allowed to settle on that basis if I did not withdraw my assent. The second fact is: Presbytery would not allow us to have that basis, and were determined we could not settle on that basis. Then why did they not order my libel and Mr. McClurkin's libel when they libeled the other five? I maintain they made the difference first, not me. They did not declare that Presbytery prefer libels against us when they did against the five. They said to lay that report on the table so far as it related to them; and of course they made a difference between us, the difference? Why the simple difference was that Mr. McClurkin and I had not withdrawn our assent, and the rest had. And when they laid that on the table, so far as it related to me, it was certainly for my acceptance or for my rejection.

4. It has been charged that I have not preached Covenanter principles. They admit that I have not preached against Covenanter principle but they say my sin is a sin of omission rather than of commission. Well, I admit that I have not been preaching a series of sermons on Roman Catholicism; nor on the Bible in the Public Schools; nor on National Reform; nor on Theaters. I have left that to Dr. McAllister. I admit that; but I deny that ever I went one inch out of my way to escape a single principle of our church. Just about a year ago I preached a sermon against secret societies, and it got into the papers. I showed the sin of belonging to such organizations. I made the illustration of secret societies and of our own government, and so it went into the papers. Now I say here, that charge is perfectly without foundation.

But again, I was ordained to the ministry, and there was a

text given to me to preach on when I was ordained. The text was: "For I determined not to preach anything among you save Jesus Christ, and him Crucified." And I propose, Brethren of the Covenanter church, of the entire Covenanter church, and my great ambition shall be, to be a preacher of the Gospel of our Lord and our Saviour. I saw the Gospel is the power of God unto salvation, and before I was ordained to the ministry, my aunt, Miss Johnston, than whom was no one whose advice I admire more, and whom I love more than any one except my mother, said to me, "Jimmie, don't you preach all the time on National Reform; you be a preacher of the Gospel." And, Brethren, I want to get so worked up on the Gospel theme that I shall call into exercise every faculty of my mind. I do not want to cultivate this debating and fighting and arguing spirit in my preaching; I want to cultivate a spirit that will make me a powerful preacher of the Gospel of Jesus Christ; that is what I am laboring for, and that is what I propose to do. That is what I was ordained to do. And to charge me with having omitted the principles of our church is a charge which has no foundation in fact.

And now, Brethren, I am done. I am sure you must be weary. But I have to say here as I said before, I am here asking for justice. I think that we have shown you that that libel was not admissible because it had no testimony. I think I have shown you that the breach of faith rests on others. I think I have shown you that the suspension after my appeal was wrong. And I think I have shown you that so far as being an honest preacher in the Reformed Presbyterian church is concerned, no charge can be brought against me. May God help you, may he assist you in coming to a right conclusion; may the Holy Spirit be poured out; may the prayers to be offered at this noon-day prayer meeting as to the outpouring of His spirit upon His people be answered by an outpouring upon these people here, upon you in this Court, as well as upon the people in our church.

Prof. D. B. WILLSON: I will just ask permission to make a statement. My brother Mr. Milligan called me out on the point whether I had spoken of an organization. He said I certainly had referred to the point of an organization. Now, it is only due to myself to say that in Presbytery I used the words with which they headed their own Platform; I said they did not need, in meeting together for the explanation of their views, to make a platform. A platform is made for persons to stand upon, to make converts too. When the republican party made its platform it was a party; and when the democratic members met together and framed their platform, they formed an organization. I argued in that line. It was not this question of veracity between Mr. Carson and this brother.

Rev. J. R. J. MILLIGAN: This matter in regard to Mr. Carson did not come up until I was convicted.

Prof. WILLSON: It was an argument as to the Platform. Rev. J. R. J. MILLIGAN: You brought that in in your second speech?

Prof. WILLSON: That was my ground of argument. Rev. J. R. J. MILLIGAN: That was one of them.

Prof. WILLSON: Yes. I say I believe I proved it then, and I have not been argued out of it since.

The MODERATOR: We will proceed to hear the defence of Pittsburgh Presbytery in reply to what has been said by the appellants.

Dr. R. J. GEORGE: Mr. Moderator, Fathers and Brethren: You will understand perfectly well that the limitations placed upon us by the will of the Court indicated that we cannot propose to follow these brethren along the lines of their rebuttal in detail. We have endeavored to make some little division of the matter, so as not both to occupy ourselves with the same questions.

The first thing I have to say is that I feel that our brethren rest their case too entirely on their ability to awaken distrust in the minds of the Court with reference to their brethren. I recall a remark made by Dr. Sloane in his lifetime with reference to our good Prof. Willson, who was one of the prosecutors on behalf of our Presbytery in this case, and to whom reference has been especially made by the last speaker. He said that Prof. D. B. Willson had less original sin than any man he ever knew. Now if that be true he has made a wonderful development of the small amount that he had if he has been at all chargeable with all that has been cast upon him in connection with this case, and spread in a very public way before the church. Because they have not hesitated to say that he was actuated by malice and venom in his prosecution.

Rev. J. S. T. MILLIGAN: I shall object to that. Dr. R. J. GEORGE: If I am to be cut short——

The MODERATOR: Statements were made on the floor—Prof. D. B. WILLSON: I shall object to this. I think it is new evidence.

Dr. R. J. GEORGE: It is my statement in support of what I have just said, that from the beginning they have rested their ability to vindicate themselves before the church, and before the Christian world, on the misrepresentation of their brethren. You have had a very striking example of that on the floor of this Court.

I wait long enough to clear away again the fog thrown over the question of the Judicial Commission and the Judicial Committee. I want the clerk of the Pittsburgh Presbytery to occupy only a moment to state to the Court the fact with reference to the report of the Committeee on Discipline as it came to his hand from mine, because my brother E. M. Milli-

gan has aired this question once more.

Rev. W. R. LAIRD: The brethren coming to see the Minutes asked why the record of striking out certain things was not on the Minute, and then asked for the original report of which that item was a copy; and I told them, "This is all the report I have." And I related to them what I related to you. that at the close of that meeting of Presbytery I was going on east, to New York, to assist Brother Sommerville, and then up into Vermont, and I sent back home the papers by my elder; and that the report of the Committee on Discipline was interlined because of its amendment, and Brother George took it with him to write it out. He says that I proposed that to him, and I think that is very likely, because it is just what I would do again, as I thought that was proper. That was my plan, for him to keep that report of the Committee on Discipline until I would return. I think this explains the statements of the brethren that they could not find the original report. I did not have it. I showed them all I had. And it explained Brother George's position, that he took this report home to write it out as it was finally adopted, and make it more legible to me.

Dr. R. J. GEORGE: That is somewhat new to me. I would like to know whether the brother made known to these breth-

ren the fact which he has now stated? Rev. W. R. LAIRD: About what?

Dr. R. J. GEORGE: That I had written the report at your

request for that purpose?

Rev. W. R. LAIRD: I am not sure that I said at whose request; I am very certain I said, as is customary, and as I thought proper, it was left in your hands to be written out as it was subsequently amended.

Dr. R. J. GEORGE: I must ask further. Did Brother Laird understand from them that they had a suspicion with refer-

ence to this matter?

Rev. Mr. LAIRD: I did not.

Dr. GEORGE: Because if you did I should have a very

hard time excusing you.

Rev. Mr. LAIRD: There was no intimation of any suspicion given to the clerk; and the first I heard intimated was here on the floor of this Court; otherwise I should have given more attention to any explanation I might have thought necessary.

Dr. GEORGE; You see I am compelled to this course because a large part of this defence rests upon the ability of these brethren to fix upon me duplicity at some point with reference to this case, and because my brother, the Rev. E. M. Milligan, after all that transpired with reference to Brother Reed, and his magnanimous clearing me of it, thought necessary to recapitulate the facts and stated that he thought

these facts justified the suspicion, and if the brother had not done what he did, that he would have done what Brother Reed did.

Now all I want to use that for is to put into the mind of this Court that these young men have had a suspicion in their minds with reference to certain of us that led them to be absolutely unjust in their fixing suspicion upon us without a shadow of foundation, and that they have gone so far as to be willing to convey that suspicion to the mind of a public assemblage like this, without affording us the opportunity, which they would insist was so fully due to themselves, in all public matters concerning them and their brethren, of com-

ing to us personally and seeking an explanation.

My brethen, they have two faults. The one is too great a suspicion of their brethren, and the other too great a complacency with reference to themselves. It is hardly the proper thing, even in illustration, to justify their secrecy, or the measure of it attributed to them, with the idea that they are Jamie Douglas and the Covenanters of Scotland hiding themselves from Claverhouse and his Dragoons, represented by Pittsburgh Presbytery; that is hardly proper. It is hardly proper, when for illustration it is said that Dr. Briggs might be taken to show how one may be chargeable with that which would separate him from a position in the church and yet not be chargeable with immorality, when his name was mentioned in connection with the statement of his scholarly attainments and his high religious and moral character, as it stands before the world; and Brother MacQueary was introduced as an illustration of the same kind with reference to another point, and then it seemed to them that they were in the position presented to the world when three crosses stood out dark against the sky, and our Lord was crucified between two thieves. And you will remember that Dr. Briggs and Brother MacQueary according to this must represent the two thieves whose ignominy it was attempted to put upon the heads of these brethren, and so attach some odium to them which could not be attached to their own position.

Now that is where I say there is too great complacency. I think that will not be complimentary to Dr. Briggs or to Brother MacQueary, and is more than just to themselves. And then the position which they would seek for themselves

in this illustration of our Lord is still more difficult.

Now I pass to call your attention to facts by which I hope to clear away some of this doubt. And the first fact is that Pittsburgh Presbytery alone is on trial. I want to get that before your minds—Pittsburgh Presbytery alone is on trial, and with reference to its Presbyterial acts. Not with reference to memorials that came before it, and with which it had no responsibility, only to deal with them as memorials are dealt with; not with reference to the call for the Elders'

Convention, only as to the right or wrong of it to be recognized as sending a memorial to Presbytery, which I think none of you will question;—but Pittsburgh Presbytery alone is on trial. And the question that comes to you to settle with regard to the complaint of injustice and wrong, you must have in your minds simply, What did Pittsburgh Presbytery do

with regard to these cases?

The second thought I wish to insist upon is, that it has been established before you that the Judicial Committee was not a commission. That, I think, has been settled in your minds. That this Judicial Committee was a judicial committee by the appointment of Presbytery, never was anything else, never exercised any other powers than that of a committee, and for that reason was only capable of formulating a basis of agreement with the young men upon which the Presbytery itself reserved the right to pass. Presbytery did not forego in any measure its right to deal with that basis as its own document

when it should come before it. Keep that in mind.

These young men, whatever they may say with reference to being deceived about this. did know that the conclusions of that conference must be submitted to Presbytery and accepted by it. Bear that in mind. Although they may say that they regarded it as a commission, they do say, and they have made clear to you, that they understood perfectly well that that settlement was not final until Pittsburgh Presbytery itself gave approval to that basis, and that the brethren whom they held bound were simply bound to them to stand by the basis when Presbytery came to act upon it; but they did not understand, and they could not, that we were acting with powers by which we were enabled to settle it. Let that fix itself in your mind.

So much has been said as to the different views among ourselves as to whether we were a committee or a commission, that I wish to refer to this fact, that Dr. Sproull, who was chairman of it, did not observe the change made by the Presbytery and so constituted it as a commission, but the moment we arose from our knees, for we knelt in prayer in the constitution of the Court, he asked for the Minute of our appointment, and the Minute being taken from this report of the Committee on Discipline, I produced it and read it, and our brother at once accepted that, and all the other members of the Committee understood at the time, as I remember, that it was a committee. There was no question in our minds, only in the mind of the chairman, and that but for the moment, with reference to it. Am I right?

Dr. J. W. SPROULL: I believe I called attention to the fact when the Minute was read. And I would also state, in order that the Court may understand this, that I happened to be called home when this Minute was changed in the Presby-

tery and that accounts for my not noticing it.

Dr. R. J. GEORGE: I hope now it is clear to all your minds that this was a judicial committee; that the results of its finding were to go before Presbytery and that they had no binding force on Presbytery until the Presbytery itself had accepted and adopted the basis submitted; and that that was a result of the resolution on the part of the Presbytery, to deal with this question as a Presbytery, and not entrust it to any body of men; and that this fact was understood and known by the young brethren themselves according to the state-

ments they have made before you.

The next point I suggest is that the resolutions adopted by the Presbytery were not part of the basis. You see how much has been made on the floor of the Court and elsewhere of the representation that these resolutions which a member of the Court introduced were made a part of the basis. Now I hope it is clear to all of you that there is no foundation for that statement. Reasons have been assigned here that seemed to the mover of them sufficient for presenting them at the time he did. Whether they were sufficient or not is not a question that is before you. It is not a question that was before Pittsburh Presbytery.

The simple fact is that these resolutions were presented, and the additional fact is that they were not presented by a member of the Committee as a member of the Committee, but as a member of Presbytery, which was distinctly stated; and that they were not as in any way connected with the basis, or to be accepted by the young men themselves. There is no reasonable justification for any one supposing that they were

thus presented.

As has been said, deliberate time was taken to make plain to the minds of the Court, and of the brethren—these young friends understood that they were no part of the basis, and that they were submitted as entirely distinct from it. and without any relation to it. How, possibly, could a member of the Court submit the basis as having been accepted by them, and then submit this as a part of the basis of agreement? There was no such representation made. The case was par-

ticularly guarded at that point.

But what I wish to present is that the resolutions were not so considered by the Court. The two papers referred to were considered side by side, but not as connected together; just as we take up a report that bears on a subject here, and also take up in connection with that another report bearing on the same subject, and we consider the two important papers together; and when we have considered them, then we take action upon the one and then take action upon the other. There was no other connection than that between these resolutions and the basis of agreement submitted by the Judicial Committee.

Had the Presbytery a right to pass such resolutions? What

were the resolutions? Well, there were two of them that were adopted. The first was the resolution condemning the East End Meeting; not "condemning it" as it was submitted, but "disapproving of it" as having been held without due regard to the authority of Synod in its act forbidding the propagation of these views. The other was a resolution condemning the East End Platform as unscriptural. Had the Presbytery the right to pass such resolutions? If it had not, why not? With whom was the Presbytery bound not to express its views of the East End Platform and the East End Meeting? Certainly not with these young men? They had no agreement with Presbytery. Presbytery never entered into any engagement with them that it would not express condemnation of the Platform which it looked upon in this way. There was no possibility of Presbytery breaking faith with them on this point, for Presbytery had no agreement with them on this point.

Had Pittsburgh Presbytery a right to express its conviction in regard to that Meeting? I do not know upon what ground any one can question it. Is it an injustice and wrong to those who saw fit to hold that Meeting that the Presbytery in seeking to care for the interests of their congregations would say to them, "We regard that Meeting as having been held without proper recognition of the authority of the church; and we regard that Platform as being contrary to our standards and to our principles." Why Brethren, I cannot understand under what obligations any one considers this Court of Christ's house had placed itself to keep its mouth closed with reference to a document of that kind; and how any one attempts to represent to you that there was any breach of faith by Pittsburgh Presbytery in passing resolutions of this kind in reference to that Meeting at any point in its proceedings at

which it saw fit, is more than I can see.

That was the next point which I presented, that is, that these resolutions which were adopted were no part of the basis; that these young friends were not asked to accept them at all. The record says that they were permitted to enter their protest against them on the Minute. Those resolutions could not in any way affect the truthfulness of their engagement in the basis of agreement, upon which we entered, that they would hold certain positions and views. Now the course of Presbytery was straight forward up to this point. It was on the discussion of this question that this basis of agreement, submitted by the Judicial Committee, came to be discredited. And by whom? And in what way?

I want you now to bear that in mind that it is before you in the record, and has been before you in the presentation of the case, that the discrediting of the action of that Committee was on the part of these brethren themselves by the statements made on the floor of the Court that they did not sign that agreement or did not give their approval to that agreement, (for they did not sign it), they did not give their assent to that agreement, only with certain explanations and reservations that they understood to be a part of that agreement; that they also brought to view on the floor of the Court at that time that there was an organization. This was stated by the Secretary of the Meeting on his authority as Secretary,—that there was an organization formed at the East End and

that that organization was in existence.

Now it would be very gratifying to me to gather before you some of the discussion with reference to the truth of that representation but it is not necessary to my argument at this point and I leave it to my brother to present in connection with the disclosure made to him by Mr. Temple, of which he must speak, with reference to that organization. What I say is that Pittsburgh Presbytery had good ground for believing there was an organization. She had the testimony on her floor of the Secretary of that Meeting who had been publicly known as its Secretary from the prints, that they did form a permanent organization; and not only that, but so strong was that organization over him that he was not able to give his assent to this basis of agreement until he had conferred with a member of the Judicial Committee and he had made up his mind to withdraw from that organization.

Now Pittsburgh Presbytery had that fact before her along with that basis, and also the additional fact that that was not made known to the Committee when it formed that basis. Two members of that Committee, when that fact was brought out arose and said that if the fact of that East End organization had been known to the Judicial Committee, as it was now known to Presbytery, that they would not have given their assent to that basis, because the organizing a body like that within the bounds of the Reformed Presbyterian church on a platform that was subversive of the fundamental principles of this church was a wrong of such a character that the Presbytery could not consent to any basis of agreement that did not involve the withdrawal from, and breaking up of that organi-

zation.

Now, my Brethren, I want you to remember that that basis of agreement about which so much is said was discredited on the floor of the Court before the Court came to act upon it,—the Court that must act upon it was discredited by these young men themselves in that way and to that extent that made it impossible for a Court of Christ's house, dealing sincerely, to accept it as a sincere document. I want you to remember in that connection that my brother J. R. J. Milligan who was not present when it was discredited, and who has made a great deal of the fact that he was not present, and that he had a right to have it presented to him, stated to you this morning that he could not conscientiously enforce the law of this

church with reference to one using the right of suffrage in voting for officers, because this church allowed her members to vote for amendments. He said he could not conscientiously do it.

I also want you to remember that the second article in that basis of agreement to which he gave his assent and which he insists Presbytery was still bound to give to him, bound him by his agreement to carry out and enforce that law. If that is true, then by his own words he was binding himself in that agreement as a minister of this church and as Moderator of the session to do what he could not conscientiously do. My Brethren, what does that teach you? It teaches you that for the sake of holding together we were going a little further than men had a right to go. My brother was making a great sacrifice rather than break up his relations. I know it was rather than break up his relations because, had he been consistent he would not have done it. But rather than have these relations sundered he thought he could do it. He was undertaking more than God allows a conscientious man to do, and Pittsburgh Presbytery was undertaking more than God allows a conscientious man to do when she was proposing this basis of agreement-after she had passed resolutions that there was a Platform that was unscriptural and subversive of her testimony, when she was proposing that men should remain in her ministry, and as pastors of her church, who could not disayow that basis of agreement.

I tell you, my Brethren, that is the reason why it failed. We did pray. Yes, we did pray, and as I have said to you, we got a hold of the hand of our Lord and it was not the will of our Lord that these brethren should bind themselves to an agreement which they state candidly before you they could not carry out, in the fear of God, with reference to the enforcement of the law which they did not believe to be scriptural; and that this Presbytery should not enter into an agreement by which it should permit ministers to remain pastors of its churches, administrators of its law, who had avowed principles, and published them, which Presbytery itself declared to be unscriptural and contrary to the standards of the church.

I do not feel called upon to defend all my course of action with reference to that basis of agreement. I acted conscientiously, according to the light I had, and I could clear away a great deal of what has been said this morning if I thought you wanted to wait for it. But I submit, the Presbytery did what it had a right to do when it passed these resolutions condemning the Meeting and the Platform, and that it could not break faith with men concerning whom it had no faith pledged. It had not adopted the basis submitted to it, and the withdrawing of their assent from it led necessarily to the

result that the basis itself was laid on the table with reference to those five.

I have shown you in connection with that, that my brother Mr. Milligan, who was not present, and who has indicated his view of it to you this morning, could not demand this basis. Now these are the points as far as I think it necessary for me to follow that part of the case. My brother, Dr. Mc-Allister, takes up the case at the point at which the libel was framed.

I have shown you that the Presbytery alone is on trial before you and with reference to its action. I have brought clearly before your minds that the Presbytery in its wisdom appointed a Judicial Committee and reserved to itself the right to pass upon the conclusions reached by this Committee, and that this was undestood by all the parties concerned,—that no action was final settlement until the Presbytery itself had accepted it.

I have shown to you that the resolutions which Presbytery adopted were resolutions which Presbytery was competent to adopt. I have shown you that Presbytery adopted these resolutions not as any part of the agreement which these men should accept, but as the expression of its own conviction with reference to the East End Meeting and Platform. And I have shown you that when this was done the brethren themselves discredited the agreement in such a way as made it impossible for the Presbytery to accept it.

Now there is one point which I think I should mention in connection with that. It is with reference to the significance of the Platform itself. The only point I see possible to be made against my argument as I presented it is that the Presbytery put an interpretation upon this Platform which the framers of it did not intend, and so continued to discredit them.

I bring this forward because my brother E. M. Milligan gave as a reason for withdrawing his assent, (which he says was only from the third paragraph,) that that resolution if passed, condemning the Platform as unscriptural and as contrary to our standards, was to discredit him as a minister who was known to adhere to it; and so discredit him that it was a continuance of the slanders that had been made against him. Of course his argument is that it was slanderous because it was untruthful.

My brother Mr. Reed, made a very strong declaration on yesterday, that it was merely an explanation, and one or two of the brethren said to me that their minds were somewhat affected by the statement made by Mr. Reed, that this second plank in the Platform which he himself had moved was intended only as a explanation of our position; that it was not intended in the sense in which it was used, and he went so far as to say that it was an explanation made in the

interest of the conservatives. That it was not intended to be a liberal resolution at all but a radical conservative resolution

for the preservation of the church.

A great deal has been said about this East End Meeting being for the sake of explanation, and that the necessity for it arose from the necessity of making an explanation. In order to get at the meaning of it then we must know just what it was intended to explain. They say that the need of explanation came from the misrepresentation of their position at Synod; that it had gone out over the church that they had taken positions at Synod that were unscriptural and that were opposed to our church, and that so great was the odium attached to themselves that they felt obligated to come together and make themselves understood.

Now what was it they did at Synod which led to these unfavorable reflections upon them as Reformed Presbyterian ministers, and that created the necessity for the explanation? Well, we have it formulated here and I want to read it to you once more. It is in these reasons of protest against the action of last Synod on the question of church union: "We specially protest against the approval or adoption of the Committee's addition to the basis of union, which pledges not to vote nor hold office under the United States Constitution, as a farther condition of membership in our church: 1. Because, although our sessions have long required such a condition of membership, yet it was never incorporated in our standards, must be overtured and adopted before it can be a lawful term of communion, and is contrary to the principles of our testimony."

That is one thing that this East End Platform proposes to explain, and the second plank is the one place in which that explanation is distintly made, and that second plank is as follows: "That persons who make a credible profession of Christ should be received into church membership on their acceptance of our Testimony and Terms of Communion without binding them to our explanation in the matter of political

dissent or in other questions."

Now, Brethren, I want you to put these two things together. I want you to remember that these brethren say that this was written as an explanation of the reflections upon them. They have said that. And I want you to remember that they say there: "Although our sessions have long required such a condition of membership, yet it was never incorporated in our standards, must be overtured and adopted before it can be a lawful term of communion." They had decided already and put their names to it that this is not a term of communion within the Reformed Presbyterian church, and is not in her standards. They say to you, "What fault have you got to find with that? Why, that says you must accept the Testimony and the Terms of Communion and all the Standards of the church. What fault have you to find with

that? Who wants to ask anything more than that? And when you raise any objection and say that is against the Testimony, they say, "Why, that takes in the Testimony and Terms of Communion." You heard that, did you not? I want you to remember that these men when they adopted that Platform were explaining this language in their dissent, and this says that this is not in the standards, it is not part of the terms of communion, it is simply an arrangement made by the session.

Oh, my Brethren, is it absolutely useless then for men to attempt such a thing? You may cover over the secrecy of that Meeting in any way you please, and whether it is an organization or not; but I tell you these things, written down this way, and put before us, are a little too plain; and men with common sense and common purpose who understand men as they wrote this (referring to the Reasons of Dissent) down in black and white cannot be deceived with reference to the intent and purpose of the East End Platform and the meaning

of it. I want you to keep that in mind.

But that is not all of this explanation: "2. Because it makes our explanation of the terms a term of communion binding the conscience, which we have always disclaimed. 3. Because it is a mere opinion that only proficient students of the Bible and of Political Philosophy can understand, and thus excludes Christ's little ones from church privileges contrary to his express will. 4. Because it dishonors us and our covenanted fathers as having entirely omitted from our Testimony that which is now plain to have been all along our chief term of communion, whose omission the Committee in their statement say, 'would leave the United church without any justifiable ground of separate denominational existence.'"

Why, Brethren, it is a most mavellous thing to me that with this document before you and with the statements that have been made over and over again upon the floor that this East End Meeting was to correct the misrepresentations that grew out of that first document, and that this does correct and explain the other,—it is a most marvellous thing to say that it is not set forth distinctly that it is the view and position of these men that enforcement of practical political dissent as a term of communion in the Reformed Preshyterian church is

contrary to our standards.

(Upon motion a recess was taken until 1:30 o'clock).

AFTERNOON SESSION.

The MODERATOR: At the time of recess Dr. R. J. George had the floor, speaking in defence of the action of Pittsburgh Presbytery.

Dr. R. J. GEORGE: Mr. Moderator, Fathers and Brethren. At the time of adjournment we were considering the interpretation of the second plank in the East End Platform by the

Pittsburgh Presbytery in its second resolution, in which it declared that this plank is contrary to the Scriptures and subversive of the subordinate standards and of the fundamental

position of this church.

I was astonished at the interpretation put upon this plank by our brother the Rev. Mr. Reed, who said that he was himself the mover of it, and I suppose claimed on that ground the right especially to interpret it. Our brother Mr. Milligan speaking this morning expresses his approval of, and his gratification at the interpretation given by Mr. Reed. But it seemed to have been somewhat new to him, I thought from the way he spoke; however, he was willing to accept it.

I was endeavoring to show that we hardly at this day accept this as to the intention or understanding of that plank in the East End Platform as it was promulgated throughout the church, for this reason, that the brethren have claimed all along that the East End Meeting was a necessity arising from mish terpretations and misunderstandings of their position as

interpreted and understood in times past.

I brought together two documents; The Reasons of Dissent as prepared by the minority, the seventeen as they were called, with reference to the action of Synod on the adoption of the report of the Committee on union, and I think I need not read again to you those Reasons of Dissent, but simply say that they set forth distinctly that the dissent is grounded upon the fact that the items proposed by our Committee on union to be accepted by our sister churches on the position of political dissent were an addition to the Testimony and Terms of Communion of this church; that this position of practical political dissent is not maintained in either the Testimony or Terms of Communion, and this being true they dissented from its being required as a basis of union with the General Synod of the Reformed Presbyterian church.

The Platform framed at the East End in the second plank of it was intended to set forth the true views of these brethren with regard to that subject and to do that in explanation of, and to modify the false interpretations of their deliverance at Synod, and perhaps other utterances which they had made on the floor of Synod with reference to our terms of com-

munion.

Now what I proposed to say was that if that is the connection between these two things, and it cannot be doubted that the East End plank must refer to that which most needed explanation and about which misunderstanding had arisen; but that it cannot be put in contradiction in its interpretation with the plain meaning of the language of their dissent, and hence that it cannot mean otherwise then they meant then,—that this position of practical political dissent is outside the primary standards of this church.

Brother Reed, as we have said, proposed a different inter-

pretation, saying that he regarded it as an ultra conservative utterance, and as having reference to the departure of the church from her position by the act of 1889 authorizing the voting on Amendments. Now I want to put (as an addition to what I have said) over against this the interpretation of this same article made by another very honored member of the East End conference, and one certainly qualified in every way to speak for them as to what they actually meant by this plank. I read to you from the open letter of Dr. J. K. Mc-Clurkin with reference to the meaning of this plank, and I ask your careful attention to it.

Rev. J. S. T. MILLIGAN: I claim that is new testimony

and it does not come in.

The MODERATOR: It is not new matter. Rev. J. S. T. MILLIGAN: It is new testimony.

The MODERATOR: The point before the Court is the meaning of the East End Platform. The speaker is in order.

Dr. McALLISTER: I wish to state, Mr. Moderator, that certain things were met by way of rebuttal and argued; we are simply meeting what was brought forward to have its

bearing upon the mind of this Court.

Rev. J. S. T. MILLIGAN: No testimony should be produced here that was not before Presbytery on either side: that is my point. This certainly is testimony that was not before Presbytery, and therefore cannot be used in vindication of Presbytery.

The MODERATOR: According to that there would have

been an immense amount of argument ruled out.

Dr. GEORGE: I would like to vindicate myself and show that Pittsburgh Presbytery did not put a false interpretation on this Platform when they were not willing to accept this as the brethren would wish.

Mr. D. TORRENS: Aside from the reasons that have been advanced it does seem to me that none of the young men on trial have any right to have impugned to them any interpretation made by Dr. McClurkin.

Dr. GEORGE: I don't presume that-

Mr. TORRENS: And as I understand Dr. George is trying to prove by this that Mr. Reed's explanation is not correct. Dr. McClurkin can't prove anything that is in Mr. Reed's mind and therefore I contend that this is not in order at this time.

The MODERATOR: The speaker will proceed.

Dr. GEORGE: This is a letter from Dr. McClurkin and it is an interpretation of this plank which is before us. "My action—referring to his withdrawal from the church—is the outgrowth of candid throughful investigation of the attitude of the church towards the government of our country, and of the illusive distinctions by which this attitude has of late been defended. After searching the constitutional history of the United States, after studying her Christian laws, religious customs and Supreme Court interpretations, realizing too that the ballot box is the place where Christian conviction must be expressed if righteous laws are to send their life giving influences throughout our Republic, I have been forced to the conclusion that the individual conscience of the American citizen should be allowed to decide as to the duty of casting a ballot for righteous rulers."

Rev. H. W. REED: Has Mr. George a right to bring in the the open letter of Dr. McClurkin when we are in a position not to be able to answer that point? Is not that new matter?

The MODERATOR: This is brought in reply to what has

already been said.

Rev. H. W. REED: He is alluding to opinions which we

have not alluded to and which we do not hold.

Rev. J. C. SMITH: I want to be perfectly fair. What Dr. George has read is Dr. McClurkin's belief, it is not his interpretation of the Platform.

Dr. GEORGE: Wait till I come to that.

Rev. J. S. T. MILLIGAN: It is testimony, but it is inad-

missible.

The MODERATOR: Let the Moderator explain the ground of his decision. When Mr. Reed was on the floor he produced argument and testimony with regard to his interpretation of that plank which was not before Presbytery. His argument was not before Presbytery on the interpretation of the second plank of the East End Platform. He was not called to order. This is a reply to that statement and argument of Mr. Reed, It is not therefore new matter.

Rev. H. W. REED: I wish to say -

The MODERATOR: If there is anything more to be said it must be said under appeal. It is not a debatable point, and the Moderator's decision has been given.

Rev. H. W. REED: I have proof to show that this is not Dr.

McClurkin's interpretation.

Dr. GEORGE (reads): "Further, as I search the Scriptures for the foundation of the Christian church and study the Bible warrants for her laws and discipline; when I see the simplicity of the faith as it is in Jesus, and remember that the church is the great remedial agency by which, according to Christ's appointment, fallen humanity is to be uplifted, and within which benighted humanity is to be enlightened, I am again forced to the conclusion that we are without a Scriptural basis authorizing us to exclude from the sealing ordinances of the church one who feels that duty calls him to cast a ballot, it may be, for an exemplary Christian. * * * Again, last July some brethren, myself among the number, desirous of correcting the misrepresentations that had grown out of the controversy at Synod, held a meeting, commonly known as the East End conference, and placed directly before the

church a short and simple statement of our views. It was an earnest meeting of prayer. There was nothing secret. published our views openly to the world. Historical investigations had confirmed the faith of a goodly number in the belief that the early history of the Covenanters in America gives no warrant for the exclusive acts of Synod on the voting question, and that it was the purpose of the fathers, who led the early church in this land, to receive members upon their acceptance of the Testimony and Terms of Communion. This is the thought presented in the following statement of the conference, and upon which Pittsburgh Presbytery has waged an unremitting war: 'Persons who make a credible profession of Christ should be received into church membership on the acceptance of our Testimony and Terms of Communion, without binding them to our explanation in the matter of political dissent and other questions."

This letter is signed by Prof. McClurkin. Our brother says they have evidence to show that this is not his interpretation of the East End Platform; but I submit that here is a plain statement with his interpretation with reference to that plank, and upon that Pittsburgh Presbytery is waging this war.

Now, my Brethren, I submit that the connection is complete between these two things, and that the attempt of our friends to furnish us with another interpretation of this plank of the Platform is not consistent, at least with the interpretation of so able a man and so sincere a man as Prof. McClurkin. And I am willing to accept the statement of this brother with reference to the meaning of that plank. And what I want to say is, in view of the fact that this interpretation is given by one of the most learned and intelligent of themselves that there can be no reflection put upon the leaders of Pittsburgh Presbytery, or the church in the neighborhood of where this deliverance was put out, for they have interpreted the language of that Platform to mean that there was a purpose to secure the departure of the church from her past position of practical political dissent. That is my point: that there can be no reflection upon Pittsburgh Presbytery of first having given forth this slander upon these brethren when she passed a resolution declaring her conviction that this plank is subversive of the fundamental principle of this church as well as of the Scripture.

Now I have one more point to which I wish to allude, and that is the assertion made by my brother, the Rev. E. M. Milligan, that, although these things may be true. they are mere matters of opinion, and that with opinions you have nothing to do; that if he were a member of a human organization or institution and changed his views from the basis upon which the organization was founded, that it might become his duty to withdraw from it on account of the departure from that; but that the church is a divine institution, and hence, as a

member of that divine institution, his opinions on these subjects are between him and God, and the church has nothing whatever to do with them. If he would assert that with regard to private opinions I might admit it; but I submit to you, Brethren, that even that may be questioned in regard to a minister of Jesus Christ. The church makes some inquiry as to a man's opinions, both public and private, in inducting him into the office of minister; and it is a question how far a man's private opinions, when he has accepted a public and official trust, are to be his own exclusively, and no matter of concern to the church; because a man's private opinions must determine his public testimony. And I think that avowal is a strange one. But what I assert is, that opinions are not private when they have been promulgated, and that when they have been promulgated the church has to do with them, and they can no longer be private opinions but by some dis-

avowal of their public utterance.

And I want to say again, that because the church is a divine institution, she must deal with the opinions of those whom she sends forth as ministers of Jesus Christ to declare his testimony. My Brethren, religion is a revelation from heaven. Jesus Christ has revealed the truth. Paul did not consider himself a leader of thought. He did not consider himself as a framer of opinions. He considered himself a messenger of God; he said, If any man preach any other gospel than he had preached, any other than that which he had received from Jesus Christ, let him be cursed. Why? Because he differed from Paul in an opinion? No; but because he did not receive and preach the gospel that Paul received as a revelation from heaven; and when Paul came to die and looked up into the face of his coming Lord, he could say, "I have fought a good fight; I have finished my course; I have kept the faith;" he did not mean that he continued to believe in Jesus Christ, but he meant that he had been true to the revelation that Christ gave to him as a minister to declare, and that he had proclaimed it. It is the duty and the obligation of the church to see that the ministers of Jesus Christ are true to the system of truth that Christ has revealed, and no man can assert that, as a minister of the gospel of Christ, his opinions are no concern of church courts, and especially when they have proclaimed them. The church is the pillar and ground of the truth.

Fathers and Brethren, I do not wish now to prolong the discussion of this subject. I desire to call your attention to a

few points in closing my remarks.

There is a complaint lodged against Pittsburgh Presbytery for injustice and wrong for her method of procedure in this case. And as I understand, there is a complaint of such injustice and wrong as involves her right to sit upon a decision of her own case. It is alleged that there has been that in her

procedure that disqualifies her to judge righteously in this

case until her brethren have passed upon it.

I wish to call attention to this: I stated a little while ago that a large amount of what you have heard had no reference whatever to any act of Presbytery, and this point was made, in the first place, that Presbytery was compelled to act. I pointed out that there were two reasons why Presbytery was compelled to act. Ist. We were under the direction of Synod with reference to arresting the discussion of certain principles that had been discussed long enough according to the judgment of this Court last year. 2nd. That the matter was brought before the Presbytery by a large number of memorials of such a character and presenting such weighty considerations that the Presbytery, out of respect to its sessions and its people, and to the eldership who had taken action in the matter, was constrained to act.

Presbytery found just the condition of things which is set out in the report of the Committee on Discipline, that inquiry should be made and misrepresentations corrected if wrong had been done, and confidence restored; if otherwise, that the fault should be removed. The Presbytery was constrained to act. There was no injustice or wrong in the Presbytery moving under such circumstances. We have endeavored to make clear to you that the Presbytery exhausted all her resources to secure a settlement without trial; that she had her seasons of reverent and devout prayer; that she gave the opportunity to the brethren, which was accepted, to make candid and frank statements as to their views that had been called in question by the church; that she followed this by a series of papers that were submitted by different members of the Court-Drs. McAllister, Willson and Sproull, all making propositions,—which were not found to be agreeable to all parties; that she did not yield at that point for a trial, but appointed her Judicial Committee, and charged them to follow up the matter, seeking reconciliation, that if possible this might be found; and that she came together again at the second meeting for the purpose of passing upon this result. The Presbytery exhausted her resources in the direction of seeking the removal of this difficulty without the trial; and as we think fulfilled in full measure, the Scriptural injunction as to seeking reconciliation.

The next point is that she went to the very uttermost bounds in the terms she offered. I want to revive your minds again as to this: that the Presbytery went just as far as she could in proposals of settlement to these young brethren; that she went so far as to propose that they should be permitted to hold their places on an engagement not to propagate the views that were unscriptural. She could not compel them to disavow them, because they held them conscientiously, but that they agree not to propagate them. Our

brother, the Rev. Mr. Reed, stated to you vesterday that one of his surprises, when he heard the basis of agreement which Presbytery's Committee had formulated itself, was that it was more liberal than he had thought possible; that indeed, he had come prepared to accept something that was more conservative than the basis which this Judicial Committee prepared with reference to these brethren. I have this to say: That that basis in that form in which it seemed to him to be more liberal than one he was willing to accept, was offered to him with two additions: the first was a declaration that he withdrew from the organization formed at the East End, and the second, that he express regret for his connection with that Meeting. Now I want you to bear in mind that Brother Reed was one of those who told you that he understood that an organization was formed, that he understood a motion passed for such an organization; and that the objection which has been made by some that they could not accept that because they did not think there was an organization, did not hinder Brother Reed from accepting it, and that if he had believed, as he said he did, that he had entered into an organization, on the principles of that basis, at that time, he ought to have been able to have expressed regret for such an organization formed in such a way. At least, it would seem so to us. The idea I want to present is, that the Presbytery went to the very uttermost, and I think went beyond what many of you think was right, in the proposal she made to them. And the thought I wish to get into your mind is, that on this question of having done injustice and wrong, there was no place for it at this point. She has been compelled to act. She had exhausted her resources in seeking to avoid a trial. She had proffered the very uttermost that could be offered, in order to have these men retained to the church.

The next point is that the trial was conducted in a brotherly and fraternal spirit. I am very glad that my brother Mr. Milligan introduced this morning the letter written to him by me when I was assisting Brother Carlisle at his communion. Now with the difficulty that has been brought before you, I left Presbytery to go to Brother Carlisle's communion. anxiety about these cases, and the concern for these brethren was so heavy on my heart that in the midst of the communion season I wrote, what I submit to you was a loving letter, in the spirit of true fraternity to my brother J. R. J. Milligan; and it might seem to some of the young brethren as they listened to the extract from it that I was less concerned about them than I was about him. I wish simply to refer to this: brother J. R. J. Milligan made statements on the floor of Presbytery. Those statements were of a character which led a good many to feel that he had more modified views than had been uttered by the others, and perhaps a different course might prevail with regard to him. But another reason was

this: That Brother Milligan and I roomed in the same house a few years ago during one winter, and that we were on the most intimate terms, talking with each other frequently about the church's work and her prospects; and there had grown an attachment between us personally. And I can say to you, Brethren, that, as I wrote that letter to him from Newburgh, I did hope he would be preserved to the church. It was a candid letter from a brother whose heart was concerned for a dear brother, and who did not want him to go away.

But I want to say that that same spirit prevailed with reference to all, and was manifested to all. The testimony from the young men themselves on the floor of our Court was that the prosecutors tried them with fairness. And I cannot refrain from reading you a short extract (I could read many of them) in reference to the spirit in which this trial was brought to a conclusion. It appeared in the *Pittsburgh Dis*-

patch the morning after the trial.

I want to say that while there has been a good deal of discredit east upon the reporters for the press, yet they did desire to use the Pittsburgh Presbytery and this Court fairly. Their sympathies were with the young men, but they did not hesitate to testify to the character of the proceedings of our Presbytery. I only wait to read this one to show you how it presented itself to the eyes of outsiders who had no concern in the case except as they looked on: "While it is more than probable that the trouble in the R. P. church, which has filled Wilkinsburg from center to circumference with orthodoxy this week, cannot be covered by all the ecclesiastical court plaster in the world, and while to outsiders, especially to worldlings, the difference may not seem much more important than that between tweedle-dum and tweedle-dee, vet there is a grandeur of conviction about the struggle that commands respect, if not admiration. When strong men lose themselves so far as to shed tears over the dissolution of religious relations, it argues an intensity of belief that must carry with it conviction, unless base motives are imputed, and any one who has made a few hours' study of the Wilkinsburg gathering will not impute them to all of either party."

Now I submit that to you. I could enumerate a number of others; here is one, "in sorrow not in anger," and it speaks just in the same way. This must show you that there was no spirit of injustice and wrong in our hearts towards these

brethren in the midst of these trials.

I have now tried to trace this matter through. I cannot detect, for myself, the point at which the imputation of that kind of wrong and injustice that disqualifies the court to be a righteous judge in the case, is to be seen. It certainly did not manifest itself on the outside.

I want to call attention before I sit down to a fact on this question of injustice and wrong, and it refers to the method

and manner of proceeding to the vote. As I understand it, it does not include another question that is raised here as to the severity of the sentence; and for the reason that, it seems to me, it is not connected with the question of injustice and wrong as to the spirit of the trial. I find a very fine article here from the pen of my father and brother, Dr. J. C. K. Milligan, on this subject, and I think I am in order in submitting it, and I will read the last paragraph: "Thus by a fair interpretation of the spirit of the rule the members of the lower court are entitled to exercise their full right as members of the higher unless where the decision involves the censure of the lower judicatory for injustice and wrong." That is, unless we are subject for censure for the injustice and wrong we have done. "There are two cases in which this exclusion occurs: 1st. Where there is a formal complaint made against the inferior judicatory, charging it with criminal wrong doing. 2nd. Where in an appeal there is a reason given that charges the court appealed from with such criminal wrong. In the first case the lower court is the party on trial, and has no more right to sit as a judge than the other party would have. The second case does not arise by any and every vague and indefinite charge of "injustice and wrong," but to constitute it there must be a definite wrong specified which is capable of proof and relevant to censure. As a preliminary to the hearing of an appeal containing such charges of wrong, and as an essential prerequisite to the exclusion of the members of the lower court from its consideration, the relevancy of the charges to censure should be determined, and the ability and readiness of the appellant to sustain them by evidence should be ascertained. If the charges are not relevant to censure if proven, or if proof be not forthcoming, it becomes an ordinary case of appeal, and the members of the Court appealed from are entitled to act in the higher court without question."

Now, my Brethren, I do understand that the complaints brought to you in this Court involve charges of injustice and wrong, in the first place of a kind which we ought, without discussion, to submit to our brethren. But the point I wish to make is that that does not carry with it the question that arises in some of your minds, which my brother will discuss, as to the degree of censure. And the appeal I want to leave with you is this: This Court of Christ's house which I am seeking to defend has acted in this difficult and arduous case, surrounded as it has been with most serious difficulties, has been regarded as having been guilty of injustice and wrong of a kind that indicated its unfitness to deal with the question before it, and it is here seeking to defend itself from that charge.

Dear Brethren, you know that on your table are memorials sent up from different parts of the church which indicate that

they have reached the conclusion that we are guilty of such injustice and wrong that the decision should be set aside. want to submit to you that there are some facts known to you now that were not known to you when you came here, and that were probably not known to those who sent their memorials here, which, if they had known them as you know them, would have modified the judgment which they have expressed. For instance, one is this matter about the Committee or the Commission. A little circumstance will illustrate what In the trial of this case, when a vote was being taken, our brother, the Rev. Mr. Crowe, who is not in Court this afternoon (but others will know I state it accurately), in giving the reason for his vote said that he voted not to sustain the charge because Presbytery had broken faith with the young men in that they had set aside a settlement made with a commission. And when it came to my turn, and I was called upon, I stated that the reason given by my brother Mr. Crowe was based upon a mistake, that there was no commission, and that Presbytery had no faith to break. That was a revelation to Mr. Crowe, and as soon as the vote was finished. Mr. Crowe grose in his place and said, "I see that I cast my vote under a misapprehension, and therefore I ask leave to change it to a vote sustaining the libel."

Now it was the revelation to him of that fact upon which the decision turned with him. Some have charged him severely for his changing his vote; but I submit to you that he gave a substantial reason for it, and when he was convinced that faith was not broken he was constrained to cast his vote with Presbytery. So I say that while there was some feeling in our hearts while we listened to these memorials, some of which appealed to this Court in passing upon the case to express the disapproval felt by the people of our course, I felt the time would come when I could say, as I say now, that these are facts which have been established before There was no such basis of agreement to which the Presbytery was bound, and in which it broke faith; there was no such commission to make a basis of agreement, and hence every such deliverance, based on the thought of broken faith by Presbytery must be or should be revoked. That surely is fair among brethren.

I want to say one thing more. In the progress of this trial my brother J. R. J. Milligan said this: "I know that this Synod is largely conservative, and that there may be those here who will feel that they are constrained to vote for preserving a principle, although they may not feel that Presbytery has done altogether right, yet they will be likely to cast their vote to sustain Presbytery because they will think that a principle is involved." And he appealed to you that that was not the proper thing to do, because a question of injustice

and wrong cannot be settled in that way, but must be settled

by your fair vote.

You will bear me testimony, dear Brethren, that in that hour when I stood before you, with the consciousness of having listened for days to the appeals on the other side, and to their representations,—and when as I rose I met faces that I did meet, that were full of anxiety, some of them, and some full of disapproval,—that I had the honor to say, and to second, what my brother J. R. J. Milligan had said. I join with him in that appeal, that they could not and should not at the very beginning of the trial allow themselves to be influenced by their conviction of principle, or to disregard the claims of these young men, that justice and righteousness should be done. I submit this case to you, dear Brethren, in the conscious righteousness of the course pursued by Pittsburgh

Presbytery, and in the consciousness of integrity.

Now I want to say another thing. There was another appeal that might have been made by my brother Mr. Milligan that was not made, and that is, that there are a number of the members of this Court having sons here, that they had nephews here, and that a father's heart was burning for the defence of his children. And you will remember that Mr. Milligan might have added to his appeal that, as you should not be controlled by your principles to vote for the Presbytery, that neither should you allow your feelings to weigh in casting your vote with your children, if you are satisfied the Presbytery has not done them wrong, and I believe that you are. I would join with him in that appeal. In making it I am not going to present it as a reason why any one should not sit in the case. I want every one of you to sit. But I present it to you as fair and honest, that I should say to you: you shall not be influenced by these feelings of kinship to say in your ballot, and in your vote, that you believe this Presbytery to be guilty of injustice and wrong to your children. I insist upon that in behalf of the Court of Christ's house that has been held before the public, the unbelieving world, and the Christian world, as having been guilty of a course that has made the Christian world stand aghast.

We have submitted to you the course of its procedure. I have asked from you what I think we ought to have, a unanimous vote of this Synod, of all members of it, that having looked these things through, whatever fault they may find with the course of one individual or another, whatever reflections they may cast upon this member or another as to anything they have done through any motive of right or wrong, that as far as Presbytery is concerned it has acted in dignity and integrity. I think it has stood conscientiously for the defence of our church against what was believed to be a perilous onslaught, endangering its life, and likely to lead it away from its fidelity, from Jesus Christ, her King and Lord.

My Brethren, it is with implicit confidence I submit this case to your judgment. I do not believe you shall find injustice or wrong at any point in the course of procedure. I only wait to say this: that I left out some things to which I should have alluded; but I ask you, as a brother, if a doubt remains in the mind of any of you, that in your questions you will give us the benefit of the doubt, or the privilege of solving that doubt; and if we shall not, you should pronounce judgment upon us according to your sense of right, and we shall accept it.

The MODERATOR: Dr. David McAllister will also speak

on behalf of Pittsburgh Presbytery.

Dr. DAVID McALLISTER: Mr. Moderator, Fathers and Brethren: I have already promised you that I shall not detain you for any great length of time this afternoon, and I shall keep my promise. I pass by all matters that seem to be immaterial, although a number of them, if you were not so weary, would be worthy of some attention; and I shall take up the main points that bear, in the first place, upon the complaint of injustice and wrong, and then what bears directly upon the appeals from the sentence of the Court, and then finally the few important points that remain to be noticed, which bear upon the appeal from the sentence of suspension.

Let me, in the first place, notice the demand of Mr. Milligan to have his case considered by itself, because he had maintained a separate and independent stand. Here again I must just refer to facts, and I wish to make a somewhat fuller presentation of them in order that we may see whether this is a ground that you should recognize in justice and right.

Referring to these reasons of dissent that have been read in your hearing, I notice the name of J. R. J. Milligan to them. His name is connected with the names of the others, who are also associated with the East End Meeting and the East End Platform, so that we had, both in this Platform of which I have here a copy of the original, and in this dissent of Mr. Milligan with the others, his own acknowledgment before the Presbytery that he was at that Meeting, his own acknowledgment of approval of the Platform, and his own signature given to these reasons of dissent, found in the Minutes of the last meeting of Synod.

This being the connection then, it is simply a matter of justice that where a man has put himself in these associations, and has held to them, he shall be judged in connection therewith. It is of his own choice he puts himself in their company; he stands on the same platform, and he ought therefore in justice and in right to stand with the others when they are tried on the same charges and the same principles to which he himself has given his own name and his

own adherence.

Let me notice once more the efforts in Presbytery at a settlement. It has been stated here that objections to the basis were offered in Presbytery, that one was offered by Dr. Sproull, another was offered by myself. The matter is down upon the record, so that the exact words can be given if anybody is disposed to have them, but the members of the Court will remember the statement.

Now let me give the facts a little more fully, because when we have this attempted rejoinder, in order to meet the rejoinder it makes it necessary to bring out the facts a little more fully. The facts are these: We had spent a great deal of time, and we were just about at the point where it seemed nothing could be done, and as Moderator I asked one of the members to take the chair while I offered the first basis which I had written out. I did that out of kindness of heart and a sincere and earnest desire to avoid proceeding to trial. I offered that basis from the very motive from which Dr. Sproull and Prof. Willson offered theirs.

Now it was stated here in connection with this that any one of these would have been acceptable. That was stated, and it has been taken down verbatim. Yet immediately after that we meet with this most extraordinary statement. After it had been affirmed that any one of these would have been acceptable, it was stated that the one that was proposed by the Moderator of Presbytery was one that no man outside of the church of Rome could sign. I simply leave those two statements to be put together by your own mind.

I simply refer to this that you may see that what has been stated by my brother Dr. George, and proven as it seems to me with the strongest kind of evidence, that every member of that Presbytery, the officers as well as the members of it who were upon the floor, were all anxious to keep these brethren within the church, and to offer any basis that would maintain the integrity of the church, that would maintain her loyalty to the cause of the church and the cause of Christianity, if we could possibly devise any such basis which these young brethren would accept.

Rev. E. M. MILLIGAN: I call for the reading of that plain statement which I made, that any of these bases would have been acceptable, and then my next statement that no man outside of the church of Rome could sign it.

Dr. McALLISTER: The stenographer will read it.

(The stenographer arose and stated that he did not have with him in the court the notes of Mr. Milligan's speech of

the previous day.)

Dr. McALL STER: The statement will be given. It was taken down verbatim, and I thought the stenographer who is taking the report of this discussion had the notes here with him. I will pass on. In the meantime that can be furnished

for this Court. It is a statement that I myself noted, and have

it in my own notes just as it was made.

I pass on to what was charged in reference to obtaining the statements of the young men under promise and threat. I am very glad we have the statement made that Dr. Sproull manifested fairness all through the whole proceedings. Dr. Sproull was one of those who recommended this course in the spirit of fairness which has already been attributed to him. Dr. George said that this was an opportunity offered to the young men to remove the trouble without any further investigation. According to these views which have already been brought before you, and particularly in reference to Dr. Sproull, there could have been, if there were this spirit of fairness and desire to do what was right, no such base purpose as trying to get from these young men, under promise, or command, or threat, something that would be used against them. It was simply this: An earnest effort to lead them, if it were possible, to such a statement on their part as would satisfy the Presbytery that there was no need of going forward for the maintenance of the principles of the church. But alas, here came the most unfortunate thing. In these statements that were made, not only were the principles in these reasons of dissent, which have already been read, and the East End Platform, brought out again, but the statements were made stronger, and in a number of instances amplified. And it was stated on the floor of Synod, "We would attend the East End Meeting again to-morrow; we would stand by the principles of it again."

I can only give you in this brief way something of an idea of just what utterances were made in the maintenance of the position; and hence, with this clear statement made before the Presbytery, under no promise and under no threat, but as a voluntary, full, frank statement, the Presbytery having the evidence, it conforms to the practice of the law of the church of Scotland that I have already quoted in your hearing, and that I do not need to refer to here, excepting as there may be a little fog in your minds from what has been said in reference to the clause about this being "judicial," and also in reference to what was quoted from Chambers' Encyclopedia about the declaration that was made by any one that was

under trial.

Now the analogy there does not hold in this respect: you do not have a man charged with murder who comes to make a confession of his crime, and to be dealt with on that confession of crime. The judge warns such a man: "The magistrate will give due warning that whatever he may say in crimination of himself will be used against him."

In the case before Presbytery there was the attempt at reconciliation. In that attempt at reconciliation, which did not bring the persons, it is true, forward in judicial form, the testimony was brought out clearly, in the strongest and most emphatic terms, volunteered by the men themselves, the Court being the witness, hearing the testimony, putting the fact upon the record as that fact has been put upon record, and we have had it read here. In that Minute these seven men are named, and it is said in the record that every one of these men attempted a defence of his connection with the East End Meeting and East End Platform; or, I believe the exact word is, attempted a justification of his connection with the East End Meeting and East End Platform.

Rev. J. S. T. MILLIGAN: I would call for the reading of

that Minute.

Dr. McALLISTER: We shall have the Minute read.

(The clerk read as follows.)

"Item number two was adopted. Opportunity was given to brethren to explain their position and connection with the matters complained of. Statements were volunteered by Revs. J. R. J. Milligan, H. W. Reed, E. M. Milligan, A. W. McClurkin, O. B. Milligan, W. L. C. Samson, H. W. Temple, all of whom attempted a defence of their connection with the adoption and publication of the Platform referred to in the memorial."

Dr. McALLISTER: That is the official Minute, and it names every one of these men, as you will notice, in connection with their volunteering to defend their connection with the adoption and publication of the East End Platform.

Rev. J. R. J. MILLIGAN: It was not "justification."

Dr. McALLISTER: Very well; it was an attempt to defend their connection with it; and whether defence does not involve justification, I shall submit to the Court that they may determine for themselves. If I defend myself against certain charges, I certainly try to justify myself in the course I have

pursued.

Now I pass on from this to Mr. Milligan's own statement, as made before this Synod. And what has Mr. Milligan stated? He has stated that he could not conscientiously enforce the law and discipline of the church in excluding from membership or keeping out from membership any one who would vote for an officer to administer the government? Why? Because he thought that the church had abandoned her principles in that she permitted her members to vote for prohibitory amendments. He has stated that in your hearing. Thaf is the evidence that is before you, and that is exactly the same evidence that was before Pittsburgh Presbytery, that he could not conscientiously administer the law and discipline of the church. Yet, as you have already brought out before you, he was willing to sign an agreement that he would do so. That is the second statement or declaration of the basis of agreement, and that basis came before Presbytery signed by every man - -

Dr. GEORGE: Not signed.

Dr. McALLISTER: I think it was. I will ask the clerk of the Presbytery if the document submitted to him was not signed? Is Mr. Laird here?

Dr. GEORGE: I beg your pardon, I thought it was the

Committee's basis you were referring to.

Rev. W. R. LAIRD: They submitted a basis.

Dr. McALLISTER: And did not they agree to carry out the law of the church?

Rev. W. R. LAIRD: That was the idea.

Rev. J. R. J. MILLIGAN: That was signed by five.

Dr. McALLISTER: I understood that we had put into the hands of the members of this Court the same statement, which

includes Rev. J. R. J. Milligan.

Rev. J. R. J. MILLIGAN: No, I did not sign it. And further, when the speaker quotes that plank in the Platform I ask him to quote it all. It says, "So long as I am a member of the Reformed Presbyterian church."

Dr. McALLISTER: I will ask for the reading of that

paper

Dr. GEORGE: The last clause attached to it.

Dr. McALLISTER: We will just have the whole thing

The clerk then read the statement as follows: "We disavow the East End Meeting as a bond of union within the Reformed Presbyterian church, and as other than an expression of individual opinion. 2. We engage to abide by the existing laws of this church as to voting at civil elections and holding office, and to carry them out in the exercise of our office. 3. We engage not to propagate contrary views to the above while holding the position of ministers of the Reformed Presbyterian church."

Dr. McALLISTER: Now, Mr. Moderator, notice the second statement in that. It is an engagement on the part of these men, and although it was not signed it was agreed to. They maintained that they had come beyond the years when they should sign anything in order that it should be binding, and that their word was just as good as their signature. They agreed that they would carry out the existing laws of the church in the exercise of their office. And yet we are here informed that the Rev. J. R. J. Milligan could not conscientiously do that very thing which he agreed before the Judicial Committee he was ready to do, and ready to bind himself to do! That is the point I wish to make: that here we have a declaration that he could not conscientiously do it, and there we have the agreement which he himself gave his assent to, voluntarily, that he would do the thing that he now says he could not conscientiously do.

I wish, still further, to give an illustration here to show you the absurdity of this. Admit now that the action of Synod in

1889 was contrary to the principles of the church. You know that I believe it was in perfect harmony with true Cove-How could that inconsistency on the part of Synod justify a further inconsistency? How could that action of the Superior Court, or the Supreme Court, of the church. justify an inferior Court in any course that would be contrary. without any question by anybody—a course in contravention of the principles of the church, according to the admission of

these persons themselves.

Let me illustrate it in this way: suppose that the Superior Court in civil matters had said that a citizen of the country might be guilty of lying, and the Court would pay no attention to it. Here is a certain person, and proof might be adduced that he had been guilty of lying. The Superior Court says, "We will pay no attention to it." Now the inferior Court has brought before it a man guilty of periury,—not only guilty of lying but also of taking a false oath; and the inferior Court says, "Because the Superior Court has been so inconsis ent that it would not deal with a man for lying, therefore we won't deal with this man for perjury." That I submit, Fathers and Brethren, is precisely an analogous

Admit that there has been a wrong in the one case, does it justify a greater wrong in another case? Or, it may be said it is not a greater wrong; we have had it argued that it is just the same thing. Well, even admit that. Suppose the Superior Court has said it will let a man go who was guilty of perjury, Will you then have an inferior Court say, that it must not maintain the discipline of the church? Because the higher Court has connived at this one wrong; therefore shall the lower Court connive also at the same wrong thing?

If there be justice and right, let justice and right be done. No reason that may be given as to any inconsistency that any Court may be accused of, is a sufficient ground to keep another Court, which is under covenant obligations to do what is right, from carrying into operation the will of the

Head of the church, as it understands that will to be.

Now, Mr. Moderator, I pass from these considerations to the question of the admissibily of the libel. And here I might say that whatever strength has been laid out on this argument on the part of the complainants and appellants, it has certainly shown itself here. And I wish to meet every point that has been brought out in this connection with the utmost frankness.

Before I pass on, I may say that here is the programme of the Convention of Elders, [holding up a copy of the programme which had been handed to him, and that Mr. Copeland's name is there as chairman on that programme. This is the official programme. I simply refer to that incidentally, in order that the Court may know whether A. B. Copeland was there as one who who was voluntarily taking part in the

exercises and giving his approval.

As to the admissibility of the libel, let me give you the charge and specifications. The charge is pursuing divisive courses. It is clear and definite. The specifications under that are, attending the East End Meeting, adopting the Platform, which was there agreed upon, having part in the circulating of it, and the approval given. All this is given in substance. We have this approval. The attendance and the approval and the circulation are the main points. These are specifications.

Now, what needed to be proved? What were the facts demanding proof? The facts demanding proof were presence at the East End Meeting and approval of its Platform. Then the Court itself would have to judge whether such presence, approval and support, and circulating the document, or the opinions, did tend to divide the church, or did more than tend,—whether it not only tended to, but as the process went

on, did actually cause division in the church.

It is true that that process is still going on, and that at the present time we have a picture of division such as was not true in every respect at the time that Presbytery met. But there was division already, at that time, and it has been going on ever since, and getting worse and worse. There was division before the Pittsburgh Presbytery met; and these facts of division were made perfectly apparent to the Court. There was division in a number of congregations. It was admitted then and there that there was division, and admitted by these complainants and appellants themselves; and they charged the division upon the Elders' Convention. They charged the division, to begin with, upon the Elders' Convention; and then afterwards, they charged it also upon Presbytery, because of what it had done.

Now these are the simple facts as to the charges they made. And this brings before you the fact that there was division, and the question of the Court to determine was, Who were the guilty and responsible parties? Who were guilty? Now, once more, I say that motives were not impugned. And

let me bring up an illustration.

Rev. E. M. MILLIGAN: I would like to call attention to the fact here that it was not denied Mr. A. B. Copeland attended the morning session of the call for the Elders' Convention. The only point I asserted was that the name of none of my elders was on the call for the Elders' Convention. That was the only point I made. I have in my hand the official call for the Elders' Convention, and I will now state that any one who desires can look at it and see that the name of not one of the Parnassus elders is on that call.

Dr. McALLISTER: I do not think anybody affirmed that their names were on the call. I submitted this to show that

he was connected with it, and that his name appears here, "A. B. Copeland, Chairman," and "John T. Morton, Secretary" in the programme for the proceedings.

Rev. E. M. MILLIGAN: The point that he was at the

meeting was never denied.

Dr. McALLISTER: Then we have no difference on that point. I return to the matter of motives not coming in for interpretation. Let me ask the members of the Court to keep distinctly in view that the motive which enters into a responsible and intelligent act is the intention to do a certain thing. The certain thing that was done was calling that East End Meeting and attending it; adopting a platform, and giving expression of approval to the principles of the platform. Now these were done with motives to do these things. As to the motive beyond that, we did not undertake to say anything.

A member of this Court told me about a man in the city of Allegheny, if I may bring this in by way of illustration, who gets drunk as a matter of principle. That is, he thinks that two or three times every year he must just drink so much; every year, then, he makes himself beastly drunk; and he does this, according to what he says, for the purpose and motive of improving his health. Now, that is his purpose and motive. I suppose if he were arrested and brought before any of the Courts there would be no question about what might have been his motive in the matter as to improving his health and so on; but it would appear that as a free and intelligent creature he had obtained whiskey, and had drank whiskey, and the effect of his drinking whiskey was prejudicial to the public order and prejudicial to the peace, and he would be held responsible, whatever might have been his motive, for the effect of his conduct. Although he was seeking his health, he had become boistorous and disorderly, and brought confusion and disturbance into the city, and he would be dealt with according to that.

Now I submit we have here precisely the same principle. There were certain things done, intentionally done; but not with the purpose of dividing the church or the Presbytery. That they did have that effect, whatever the intention of the persons themseves may have been, the Presbytery has decided. Presbytery has decided that the division was due to the East

End Meeting, and the approval of its principles.

I come now to the connection of this fact of organization with the libel. Here it has been pleaded that this fact has nothing to do with the matter, because it does not enter into the libel in so many specific terms. Remember, now, that the charge in the libel is pursuing divisive courses. The specifications are, the East End Meeting, the principles adopted, the approval, and the support given. Now that necessarily brings in the nature of the East End Meeting. What kind of a meeting was it? How about these principles? What about

the adoption of them? What about the support of them? What was the connection? What were the facts in reference to these principles as they were disseminated throughout the church? All these are facts that have to be considered; and so the question of whether or not that Meeting effected a

permanent organization comes in.

Here, again, we admit the doubt that we had with rega d to whether there was an organization or not. The steps of proof have gone on one by one, until in the most startling manner we heard here to-day what I never heard before, (and which is another evidence of the way in which matters have been kept secret and under cover.) that this matter was brought before the East End Meeting and discussed, and a vote taken and carried. Now, Fathers and Brethren, I want to give all the facts, and then we will put them together.

Rev. H. W. REED: That is not exactly correct.

Dr. McALLISTER: I will reads his words as they were taken down.

Rev. H. W. REED; It was not carried.

Dr. McALLISTER: I will read his words. Rev. H. W.

Reed, during his remarks said:

"Now when were called upon in Presbytery to make our statements concerning this East End Meeting and the East End Platform, I supposed all the time and never doubted for a moment that the Presbytery was acting on the ground that an organization had been formed. I may be mistaken but that was the impression in my own mind. And hence in my statement before Presbytery I neither affirmed or denied that an organization had been formed." It would have been well if he had affirmed or denied it then. But now he says this morning: "In my statement before Presbytery I neither affirmed or denied that an organization had been formed. Indeed, I never referred to it at all; and whatever inference may have been taken from it, the impression in my own mind was that there was no need of making a statement concerning it. I then felt that an organization had been formed." He believed it, but he did not tell us so. "I believe I did say in Presbytery that I thought an organization had been

He now tells us he thought then that there was an organization formed. And yet he says just above, "never doubted for a moment that the Presbytery was acting on the ground that an organization had been formed." Now, let us go a little further: "I believe I said likewise in Presbytery that I was opposed to forming an organization at the East End Meeting." Well, if he did say that he was opposed to it. he did not say to us that he opposed it in the East End Meeting, as he said to us this morning. A little further: "Now I wish to make a statement here: The question of forming an organization was before the East End Meeting, and I then

opposed it. I thought the motion carried, but it seems to be the case that it did not carry, and that my opposition had something to do with the defeat of the measure. Now, Fathers and Brethren, this may help to clear that difficulty."

I think it does help to clear the whole difficulty. I think this statement throws such a flood of light upon this matter that all the mists and all the obscurities are cleared away; and we now stand face to face with the fact that this matter was brought before the East End Meeting,—the question of a permanent organization,—that it was discussed, that this man says he opposed it, but thought it was carried; yet he thinks he has learned that it was not carried, and that his opposition to it was partly the reason why it was not carried. "Some thought it carried. I did." Now notice that: "Some thought it carried. I did. Others claimed that it did not. Reference to the notes of that Meeting as kept does not justify the claiming that it was carried, and hence the measure was defeated though it was talked about." Now that is the stenographer's official report, taken down this morning, and he is ready to be qualified and give his affidavit that he took down the words just as they were spoken.

Rev. D. S. FARIS: Taken down vesterday, not this morn-

ing.

Rev. H. W. REED: I wish the Court to remember that that record as read does not justify the assertion as made by the speaker that an organization was formed.

Mr. Jos. STEVENSON: What does the speaker mean

when he says "Official" stenographer?

Dr. McALLISTER: It simply means that there is a stenographer here taking down verbatim what is said; that he took this record accurately as the words were spoken.

Mr. STEVENSON: The authority is sufficient, is it? Dr. McALLISTER: I have nothing further to say. Mr. STEVENSON: Did this Court employ him?

Dr. McALLISTER: It does not matter: I have no answer

to give to that.

I will proceed to some further facts. I am sorry there has to be this appeal to accuracy. I have to read another of these statements. You will all recollect that I arose and said: "I would like, Mr. Moderator, a very exact remembrance of this to be kept before the Court. I want the Court to remember exactly what has now been stated." Some members of the Court took down what was said. Here is what the stenographer took down:

"Rev. E. M. MILLIGAN: I will repeat it so as to impress it upon the mind of the Court; that at this Meeting when these contracictory statements were being made, I arose and asked the privilege of making a statement for the purpose of clearing up the apparent misunderstanding that existed; and at that time I stated the fact that there was a difference of opinion

existing among the brethren; that in Mr. Temple's judgment an organization had been formed, but so far as I knew he was the only who attended that Meeting who thought an organization had been effected, and that the rest of us were of a contrary opinion. One of the members of the Court then said that that was a candid statement. The Moderator asked me if the fact of an organization being formed was in the preamble or in the body of the Minutes; and I told him I did not know, that I could not answer that question as I had not seen the Minutes."

Now you will all remember the statements which are thus

put upon record by the stenographer.

Mr. Moderator, Fathers and Brethren, and the members of Pittsburgh Presbytery, too,—for they are all here I think, or a very large number of them, and they are ready to bear witness to what I state, I begin by referring to these words which are ascribed to me: "The Moderator asked me if the fact of an organization being formed was in the preamble or in the body of the Mioutes." I affirm that I never mentioned the words "preamble or body of the Minutes." Why, how could a man do so? Did you ever hear of a preamble to Minutes? The preamble and the body of the Minutes of any meeting is something I never heard of. I wish to state still further in connection with this matter, and the members of the Court are ready to testify, that Mr. Milligan did not say what we have down here, "I told him I did not know, that I could not answer that question as I had not seen the Minutes." I will state what occured.

One of these young men said that there was not a permanent organization effected. Mr. E. M. Milligan said then on the floor of Presbytery that the Minutes showed that there had been a permanent organization effected, for he had looked at the Minutes and seen the Minute. Now I am ready to have any of the brethren here bear testimony as to that fact, that that was what Mr. E. M. Milligan said then, at the meeting of Presbytery. This is to be added to what Mr. Temple said to me.

And now you have this statement made before you here. Oh, my dear Fathers and Brethren, I feel sad at heart from the fact that there is going down in the records of history this full statement taken down verbatim! Oh, that there might be that tenderness of heart on the part of posterity, as I believe there will be, that will prevent a harsh judgment being passed! I am sure that I have no motive but the right and the truth.

There is such a disease as "cacoethes loquendi;" and it would be well for any one who is afflicted with any such disease as that, if he do not take an astringent, that his friends see to it that he should; and that there should not be given to him something like a powerful drastic dose, whether

it be by adulation, or whatever it might be, that would make a greater laxity in declarations on matters of such moment as this, bearing upon the welfare of the church to-day, and the honor of her King, through generations that are to come. I leave these statements which cannot be reconciled side by side with you, Fathers and Brethren, that you may pass judgment accordingly.

Rev. E. M. MILLIGAN: I will ask the speaker to be kind enough to state what members of Pittsburgh Presbytery are

ready to testify that I said I saw the Minutes.

Dr. McALLISTER: I will call upon Prof. Willson for one. Prof. D. B. WILLSON: I have this to say, that I took notes of what they said at the time, and that Mr. E. M. Milligan said that Mr. Temple's record showed the East End organiza-tion as being a permanent organization. I took notes of what he said because I was prosecuting the case. I took notes then just as I am taking now. I find that upon the notes Mr. Milligan said Mr. Temple's record showed an organization, the words being "permanent organization;" and that he added, "I never supposed there would be another meeting." Now that is all I took down.

Rev. E. M. MILLIGAN: You cannot testify that I saw the

Minutes.

Prof. D. B. WILLSON: I have not that noted, but my

impression is -

Rev. E. M. MILLIGAN: I admit I said Mr. Temple's Minutes show a permanent organization; but the question is

whether I saw those Minutes.

Prof. D. B. WILLSON: Now my frank opinion is. I wouldn't make affidavit to it, but I could make affidavit to the fact that the records show that you said "permanent organization."

Dr. Mcallister: I would like to know how you know?

Rev. E. M MILLIGAN: On Mr. Temple's word.

Rev. J. C. SMITH: I think it is not on important difference. Dr. McAllister may have made a mistake in regard to that, and if he has it is not a very important matter. The only difference is as to whether he saw it.

Rev. E. M. MILLIGAN: I would like to be qualified at this time and before this Court upon my oath and state whatever may have been the impression of that Court, I have never seen those Minutes.

Dr. McALLISTER: I am perfectly satisfied to have that

statement made.

Rev. J. S. T. MILLIGAN: I think it would be unwise to do that. At the same time, if this is persisted in I hope he will be allowed the privilege.

The MODERATOR: Certainly, he will have that privilege. Dr. McALLISTER: I am ready to admit, Mr. Moderator, that the impression that was made upon my mind was definite, and my recollection was distinct.

Rev. J. S. T. MILLIGAN: I will say further, that I have talked with others that thought so, and there was a misunder-standing there as there has been in many other cases.

Dr. R. B. CANNON: This question of veracity between these two persons has nothing to do with the charge here.

Dr. McALLISTER: I wish before I leave this matter as to the statement being in the preamble or in the body of the Minutes, to say that I cannot understand what would suggest the word "preamble," unless there had been offered in the East End Meeting a resolution which contained a preamble, which would bring the matter before that Meeting to be discussed. And I should judge from what was said here that there must have been something of that kind. It would be a very easy matter to have this all settled by laying the Minutes of the East End Meeting on the table of this Synod.

There has been some measure of ridicule heaped upon me for calling for those Minutes to be put into my hands. I have never made any such demand. I did say that if it were an open meeting, it would be the fair and honorable thing to put those Minutes upon the table of Presbytery. And I have said here that if that was a Meeting about which there was no vail of secrecy, and no intent to cover up anything, it would be fair and honorable to put those Minutes in the hands of Synod or on this table, and questions like this would be determined by the Minutes themselves. There were Minutes kept, and testimony has been given by the persons who were present at the Meeting that the question did come up as to whether there would be a permanent organization. We have had the testimony given by a number of these persons that they thought the motion was carried, and that it was resolved to have a permanent organization.

Now it is a marvellous thing that in a matter thus brought before the Meeting, according to the testimony of those who attended it, and the matter discussed before that Meeting, and the matter voted upon, that there should be such utter mystery and want of knowledge with regard to whether there

was a permanent organization effected or not.

I leave the matter just at that point. If there has been confusion in the minds of the members of the Judicial Committee, certainly you will excuse us, after all these facts have come out. You cannot blame us with having a measure of uncertainty in regard to this matter, when, after all these weeks and months have passed, we have these contradictory statements on the part of those who attended the Meeting.

And now let me come to a case which has given the members of the Court not a little trouble, and that is Mr. Mc-Clurkin's case. I simply submit the proof and leave it with

you.

His name is in the Minute with the other six. This Minute was not only read at the close of that Meeting, but at the time of the trial of the parties, at which trial Mr. McClurkin was present, in reference to which he deliberated and voted. The Minute was then brought out with the utmost distinctness, because that was the evidence just as it is evidence here. It was evidence that the Court as witness gave that these persons named in that Minute were at the East End Meeting and gave their support to the East End Platform. Not one word of objection was made to that by Mr. McClurkin.

It is said that he offered proof. There was no obstacle to his bringing proof. Not one word was said against it. If he had witnesses there who were ready to give testimony he could have brought them. Why did he not offer that testimony? As a matter of fact, it was not offered. He did say he had such testimony; but he did not produce it. There was no barrier in his way to prevent him from doing so. Yet he did not do it. And what could the Court do? It could not demand that he should do so. It was willing to permit him to do it if he had claimed his right so to do; but he made no claim of the kind, and the matter of fact is that no such testi-

mony was produced.

So that we go back to the fact that here likewise was association; here was the linking together of a number of persons, linked together in connection with the East End Meeting; linked together in the coming of this matter before the Presbytery originally; linked together as the matter came up in the Judicial Committee,—because although Mr. Mc-Clurkin was not present at that meeting of the Judicial Committee, the basis agreed upon was sent to him, and it was returned with his signature to it. So that all these facts linked these persons together; and we insist, as the representatives of Presbytery, that it was no injustice and wrong, when they had linked themselves together, and when they did not bring the evidence that would separate them one from the other, that Presbytery should deal with them as being linked together in connection with this matter.

I pass on to the closing point, and that is as to the appeal from the suspension. And once more I must quote from this book which has been so much quoted from in part. I have noted some of the most important statements, and I would read the whole thing if it would not trespass upon your patience: "Declinatures are ante latam sententiam definitivam." (Steuart's Collections, Vol. I., p. 4:7.) That is, giving the English, declinatures are before the definitive sentence. "But appeals are made from and after that sentence." That is the difference between a declinature and an appeal. Now there is a distinction with regard to the declinatures, which are of two sorts: They are interlocutory appeals, that is taken

before the definitive sentence which decides the case; and it is just now stated that appeals are properly made from the definite sentence. They are not interlocutory. Interlocutory appeals or declinatures are not from the definitive sentence deciding the case. So an appeal from the admissibility, or from the relevancy of the charges, or from anything that would not be definitive, which would not conclude the case, which would not decide it, would come under this head; but an appeal properly made is from the definitive sentence.

To that there is this exception, to which I call your attention: "They are likewise made from interlocutory sentences, when they contain such damage to the party whereof no reparation can be expected from the definitive sentence that

is to ensue."

If the sentence were admonition or rebuke, then in the case of an interlocutory appeal, that sentence could not be carried into effect, because you could not recall the rebuke. So with regard to other matters which would be to the same end. But when it is this matter of suspension, as the books give you the cases, and I have referred to them until I am tired referring to them; in cases of that kind they are made the exception, and such interlocutory appeals are not to arrest the course of the proceedings, but they are to go forward to the definitive decision of the case, and then the appeal is to be from that.

Now this is precisely what the Presbytery did. It went forward to its definitive decision, which found the persons accused guilty of pursuing divisive courses, and then it inflicted upon them the sentence of suspension which was necessary to make the finding of any significance whatever. If they had simply been found guilty and dealt with as though they were not guilty, what would the sentence have amounted to? Prove a man guilty and let him go! What is the use of a

trial at all? What results are accomplished?

Let me bring up once more that illustration with regard to the crime of murder. When a man has been found guilty of murder, and an appeal is taken, he is put in safe keeping until the final decision. He would not be let go, that other murders might possibly be committed by the same violent hand; but there must be something done that will prevent this wrong and injustice, of which there has been a sample already. Then when you come to the final trial in the ultimate court of appeal, the decision is given. If the decision of the lower court is sustained, the sentence will be executed. In the present case, in this ecclesiastical matter, persons were found guilty of disturbing the peace of the church, guilty of pursuing divisive courses, which brought upon the church distraction, which were filling us with sorrow and depressing the very hearts of ministers, elders and people throughout this Presbytery. These men had been found guilty of pursu-

ing that course. Now I am not saying that Presbytery was right in finding them guilty. I leave that for you to judge. The Presbytery, however, did honestly decide that they were guilty. You have heard with what unanimity that vote was reached. Having found them guilty, would they then be left to go on in what would be the same course? That would necessarily aggravate the case. The effects in what would follow would be far worse than they had been in the past. The one simple course of justice and right was for the Presbytery to suspend from the exercise of ministerial functions these men until the matter would come for adjudication in this Synod, when Synod would say whether that suspension had been right or not. If Synod should say that it was not right, then these men could be restored to their places. Synod found they were not guilty of pursuing divisive courses, and injury was not resulting from their conduct towards the church, then the Synod could reverse the sentence of Presbytery. But something had to be done to protect the church.

My dear Fathers and Brethren, let us remember that there is the great moral personality of the church herself, and let not our sympathy for individual members blind us to those higher interests. In all the administration of law and justice, whether in the state or in the church, there is danger that regard for the rights of individuals,—not rights, after all, when you come to confront them with the rights of the social body,—but our sympathy, our strong feeling, goes out towards an individual because of the personality which is so near to us, and the affections which we feel tend strongly to blind us to our duty to the higher personality, the church herself, and the honor of the church's Head.

In this case, in Presbytery's judgment, the honor of Christ as Head of the church was at stake; the welfare of His body was concerned; and to guard against further injury to the body of Christ, and further dishonor, as the Presbytery understood it, to Him who is King and Head over the church, as He is King of kings and Lord of lords, they carried into effect the verdict finding these persons guilty of pursuing divisive courses by suspending them temporarily from the ex-

ercise of the office of ministers.

And now I leave the whole matter with you. Fathers and Brethren, I simply ask you to bear in mind, as you shall decide, first, on the question of injustice and wrong, that you are to be guided by these authorities which you have accepted as representing the principles of justice and the order and government of the house of God, as based upon the Divine Word. Then when you have settled this question of whether there has been any injustice and wrong done in the carrying on of this case, you will come to decide whether these appeals from the judgment finding these persons guilty, are to be

sustained or not. And then, in the next place, whether the appeal from the sentence which was inflicted upon them is to be sustained or not.

Dear Fathers, we are standing on an elevated platform to-day. The eyes of this nation are upon us. Yes, the eyes of Christendom. We are settling principles that are to go down into the very life currents of the Covenanter church. through generations that are to come. Not only is this nation looking upon us, but the dear fathers and brethren that are away from us to-day are listening for every word of news with intensest interest, such as we can hardly measure as we are present here ourselves. Some are lying upon their beds of weakness, near the gates of glory, following our proceedings with their hearts' affections aroused as I suppose they never have been aroused in their history before. Not only this; but those with whom this church's history has been connected are witnesses of what is now being done. are looking down upon us to-day great companies, that cloud of witnesses, the men of whom the world was not worthy, who wandered in sheep-skins and goat-skins, in dens and caves of the earth; these men ---

Rev. E. M. MILLIGAN: I call the gentleman to order.

Dr. McALLISTER: — are taking note of what is here being done; and not only these, but the Head of the church Himself; and as His honor is concerned, and the honor of all our glorified ancestry, I ask you to render judgment as you shall stand with them at the bar in the great day, and give your account to the Judge of all.

Rev. J. R. THOMPSON: I think it is customary to pro-

pound questions to the parties?

The MODERATOR: The Moderator was about to announce that this is the next step in the hearing of these appeals. It is now in order for any member of the Court to ask questions of either the appellants and complainants or the representa-

tives of Presbytery.

Dr. McALLISTER: There is one thing I omitted. I think it might be well, with the indulgence of this Court, that Miss McConnell be permitted to make the statement which she desired to make, but which was not made in connection with the remarks of the speaker who referred to her. I think it is simply a matter of justice and right that her statement should be made.

Rev. J. C. SMITH: It does not seem to me that this is necessary. I have never seen from the first the bearing of the matter, and I think that matter ought to be regarded as closed. I do not think any one's reputation is suffering or will be damaged by considering it closed.

Mr. D. TORRENS: There are some points that are somewhat obscure to me, and I would like to ask some questions of those who have represented the Presbytery. When the Pres-

bytery met in October what measures did it take towards the settlement of the East End affair aside from referring petitions to the Committeee on Discipline?

(The Moderator, in accordance with the rule, repeated the question, so that all members of the Court might hear it.)

Dr. GEORGE: The October meeting was our regular fall meeting. The order there was: The memorials and petitions were read and referred to the Committee on Discipline, and they prepared their report, setting forth the matters contained in the memorials and proposing a line of procedure of this kind: That it appeared from these memorials that grievous charges were made affecting certain ministers, and of such a character as called for investigation; that they might be vindicated, or that the proper course of discipline might follow. The Committee on Discipline recommended, first, that we begin with an hour of prayer in which there should be very careful coming before God. I called attention to the fact that this was conducted by the Moderator; that he called the representatives of both sides, including Prof. McClurkin and brother J. R. J. Miliigan. I called the attention to that because the record shows ---

Mr. TORRENS: I understood that.

Dr. GEORGE: We engaged in that season of prayer. The second recommendation was that following this season of prayer the opportunity should be open to these brethren to give their own explanation of the matters referred to in the memorials, with a view to removing any misunderstanding. The third recommendation was, that in case of the failure of this, then the matter should go to the Judicial Committee, with certain authority to make inquiry as to the evidence against them.

Mr. TORRENS: I understand then from what Dr. George

has said that there were no conciliatory measures taken.

Dr. McALLISTER: I insist that he has no right to do any-

thing but ask questions.

Mr. TORRENS: I am only stating my understanding of his answer.

Dr. McALLISTER: I shall insist on my point of order, that he has no right to give his understanding of the answer.

Mr. TORRENS: I want to get an answer that I understand.

Dr. McALLISTER: If you don't understand it-

The MODERATOR: You can ask another question.

Mr. TORRENS: I will let the question pass.

Dr. GEORGE: Understanding Father Torrens' interest in the case I stated to him personally that if I did not make clear our case I would be glad to have him raise any point.

Mr. TORRENS: I am very thankful to Dr. George for his kind offer in that matter; and I might say that his proposal so kindly made is the incentive in asking these questions.

The MODERATOR: Please confine yourself to asking

questions.

Mr. TORRENS: Were the statements set forth in the memorials accepted by Presbytery as a correct representation of

matters as they existed in the case?

Dr. GEORGE: Presbytery expressed no judgment as to the truth or untruth of the statements in the memorials; they understood them to represent a certain condition of affairs in the mind of the people, and they simply in adopting that report of the Committee on Discipline stated, "It appears from these memorials that they set forth a certain state of feeling among the people," without expressing any judgment as to whether the things set forth in the memorials were true or not.

Mr. TORRENS: When the Committee on Discipline reported, did they recommend the appointment of a commission or a committee to adjust matters with the young men?

(The Moderator repeated the question.)

Dr. GEORGE: I stated, Mr. Moderator, that my recollection is: the Committee on Discipline recommended a commission, but that Presbytery made the change itself to a committee. I have no record, only my own memory of it, and that I do not trust absolutely.

Mr. TORRENS: Dr. George's last answer will be an answer to my next question. Was the report and recommendation of the Committee on Discipline accepted and adopted by the

Presbytery?

Dr. GEORGE: My recollection, Mr. Moderator, is, as the record was read, that it was accepted and amended and adopted. I think that is the record that was read in your

hearing.

Mr. TORRENS: When the Judicial Committee met for the purpose of adjusting matters, were the young men asked to make a statement of their connection with the East End Meeting?

(Question repeated by the Moderator.)

Dr. GEORGE: Mr. Moderator, my recollection is, they were not asked to make a statement at that time. They had made statements on the floor of Presbytery.

Mr. TORRENS: Did that Judicial Committee believe they

had full power to settle that matter?

Dr.GEORGE: Mr. Moderator, I certainly can answer for myself, and I think our whole procedure shows that we did not consider we had full power, because the Secretary was directed to call a meeting of Presbytery to act upon our report,

Dr. McALLISTER: Let me go a little further. It is evident that that was not thought either by the Presbytery or by the young men because, as one of the young men has already brought out here, he asked what pledge would be given that

Presbytery would confirm what had been done by that Committee; and Dr. Sproull, according to the statement of this young man, gave assurance that the Committee would do all in their power to have the Presbytery confirm the basis which

the Committee would submit to Presbytery.

Mr. TORRENS: I did not probably eaten all that was said by the young men in their addresses and that might probably have answered some of these questions that I am compelled to ask if I am to go ahead intelligibly in this matter. Did members of that Judicial Committee believe the case was settled before they separated that evening?

Dr. GEORGE: Mr. Moderator, I am not able to say; if he refers to the opinion they had as to whether the basis would carry or not, whether in their judgment it was likely to go through the Court, I am not able to say. But I expect they generally thought it would be accepted. However, I can only speak for myself.

Mr. TORRENS: Did not the congratulations expressed convey that impression as well as the obligation not to report

the settlement outside?

Rev. J. C. SMITH: I object to that question as being out of order.

Prof. WILLSON: I object to that question.

The MODERATOR: The question is out of order.

Mr. TORRENS: I simply want to get what the impression of these congratulations was—the impression made on the young men, and the impression made on the members of the Committee.

The MODERATOR: You can simply inquire, however, for

matters of fact.

Pref. WILLSON: I am prepared to answer that. If Dr. McAllister hadn't begun to shake hands I wouldn't have done it at all.

Mr. TORRENS: Did the chairman of that Judicial Committee write to Mr. McClurkin to the effect that a settlement of the matter had been arrived at, and wish him to subscribe

Dr. GEORGE: Mr. Moderator, I think you will have to refer that to the chairman. Dr. Sproull was the chairman of that Committee.

Dr. J. W. SPROULI: In the first place: is that letter in

this room? Is Mr. McClurkin here?

(Rev. A. W. McClurkin rose.)

Dr. SPROULL: Have you got that letter? Rev. A. W. McCLURKIN: I have not.

Dr. SPROULL: I ask Mr. McClurkin if I asked him in that

letter to sign anything?

Rev. A. W. McCLURKIN: It was not asking me to sign; you did not use the word "subscribe" in that letter, but it was "to approve."

The MODERATOR: The question then would be: If the chairman of the Judicial Committee wrote to Mr. McClurkin to the effect that a basis had been arrived at, and wished him

to give his assent thereto.

Dr. SPROULL: Just allow me to give my answer to that a little more fully. Brother George was clerk, and it was his place to do it; but he said he had so much writing to do, that as Mr. McClurkin had spoken to me, he would ask me to do it. I agreed to do so. I cannot tell now exactly what I wrote. I do not think I wrote any amount of gush. I know I felt good. As nearly as I can tell (and I hope the letter will see light) I wrote to my brother telling him of what we had done and that we had settled upon a basis of agreement, and that by instruction of the Committee I wrote to him, and I asked him to give his acceptance of it in order that he might have his case presented to Presbytery along with the other six. I think that is correct.

Rev. A. W. McCLURKIN: I do not remember the exact terms of that letter, but it was to the effect, as nearly as I remember it, that a settlement had been arrived at in the Judicial Committee, satisfactory to all, and that if I would give my approval to it he would report that a satisfactory settlement had been reached in the Judicial Committee to Presby-

tery.

Dr. SPROULL: I believe that was the sum and substance of it.

Mr. TORRENS: In the addresses by the young men, I think without exception, they invariably emphasized this point, that they left that committee room on that—

The MODERATOR; Ask questions.

Mr. TORRENS: I am going to; I am explaining my ques-

The MODERATOR; No explanations; simply ask questions.

Mr. TORRENS: Then you will have to look for the point. Did the Judicial Committee before separating on that evening in any way disabuse the minds of the young men of the

impression that the matter was settled?

Dr. GEORGE: I do not know that the Committee had any knowledge that their minds were abused. We parted, as is related, after we had agreed on a basis. The young men went out, and we completed our business and went home. I do not know whether I get the point.

Mr. TORRENS: Dr. George said he knew it was not settled.

The MODERATOR: Proceed with your questions. Do not make comments.

Mr. TORRENS: Did the members of the Judicial Committee separate with the distinct understanding that the basis arrived at would come before the Presbytery?

The MODERATOR: You mean both the young men and the Committee?

Mr. TORRENS: Yes, sir.

The MODERATOR: Did they all separate with the distinct understanding that the basis arrived at would come before the Presbytery?

Dr. GEORGE: I think they did, certainly.

Mr. TORRENS: Was there any understanding between the parties that that basis should be presented to Presbytery accompanied with any matter other than a recommendation for its adoption?

(The question repeated by the Moderator.)

Dr. GÉORGE: Î am not aware of any understanding on

that subject.

Mr. TÖRRENS: Had the young men ever expressed any purpose to withdraw their assent from that agreement prior to the report of the Judicial Committee accompanied with resolutions?

Prof. WILLSON: I object to this question because we do

not admit that.

Dr. GEORGE: I can answer that.

Prof. WILLSON: The question itself concedes something. Dr. GEORGE: The question implies something that is not correct according to our statement, that is, that the Judicial Committee reported their basis accompanied by another paper. They did not do anything of that kind.

Mr. TORRENS: That is my understanding, and I wish you would correct it. Do you mean that the presentation of the Judicial Committee's report was an independent thing from

the resolutions?

Dr. GEORGE: Oh, entirely independent. I am glad you asked if you had any such impression. I tried to emphasize that before the Court, that the report was entirely indepen-

dent of the resolutions.

Dr. McALLISTER: Let me add a word. As a member of the Judicial Committee I knew nothing about those resolutions, never heard of anything of the kind, and was surprised when those resolutions were presented. At the same time I had the conviction in my own mind that Presbytery ought to put itself on record independently by such resolutions, against the East End Meeting and Platform.

Mr. TORRENS: Was it at the meeting of Presbytery at which the young men withdrew their assent to a part of the agreement, as I understand it, not the whole of it, with the Judicial Committee, that they were questioned with reference

to their relation with the East End Meeting? (Question repeated by the Moderator.)

Dr. GEORGE: The first statement in regard to that Meeting was made at the regular meeting of Presbytery. You allude to their voluntary statement? Their first statement of

their connection was made at the regular meeting, and that was before the meeting of the Judicial Committee at all.

Mr. TORRENS: What I want to get at is this: There were certain statements that these young men charge as being extorted from them, if I may use that word, and subsequently used as testimony against them. What meeting was that at?

Prof. WILLSON: I again rise to the same point: the statement contains something that is not a true statement. It asks, Was it at such a meeting that they were questioned as to their connection with the East End Meeting? They were not questioned.

Dr. McALLISTER: I rise to a point of order. It is about time that this manner of questioning came to an end. It is high——

Rev. J. R. THOMPSON: We have a right to ask questions,

and we intend to do so.

Dr. McALLISTER: But not questions that imply things

that have never been stated or admitted.

Prof. WILLSON: I rise to the point of order that a member can ask questions that are to enlighten his mind as to something that has not been brought out; but not follow up the case by a series of questions that are not admissible in the form in which they are put.

The MODERATOR: There may be something in the mind of the questioner perfectly proper to be brought out, but the

exact form of the question is certainly out of order.

Prof. WILLSON: I might ask a man, "Did you kill that

woman?" and the man might say --

Dr. McALLISTER: But these questions are put, "When you killed that woman," taking it for granted that the woman

had been killed.

Mr. TORRENS: Nothing of the sort. I will say here and now that there is not a single question that has not emanated from my own thougets, and every one of them obedient to the light I saw, and if they are not in proper form, you will just attribute it to my ignorance. My next question is, Did the Moderator, in asking these young men questions, inform them that they were under no obligation to answer such questions?

Dr. McALLISTER: Here is just this same thing again,— "When this woman was killed." That is what I protest against. Let the Moderator state the question, and then I

will make my point.

Dr. GEORGE: If Father Torrens will precede his question by this question: "Did the Moderator question the young men at all," it will be in order.

Mr. TORRENS: My questions are based on what I heard

on that platform.

The MODERATOR: The first question is: Did the Moderator question the young men at all?

Mr. TORRENS: I would be very glad indeed if you would

answer that.

Dr. GEORGE: The Moderator, as I recollect, did not question the young men as to their attendance or adherence to the East End Meeting or Platform. The whole thing was a purely voluntary statement, and accompanied by the statement that no one need make a statement that did not desire to do so.

Mr. TORRENS: One of the young men stood there and told the Court the tone of voice in which the Moderator asked a question, and insisted that he should answer yea or nay. I

refer to that case.

The MODERATOR: If you wish to ask any special question about Mr. McClurkin's case, that is in order. This is not.

Mr. TORRENS: Did the Moderator inform them that their answers to the questions on that subject would be or could be used as evidence against them?

The MODERATOR: That is implying there were questions

asked. There were no questions asked.

Mr. TORRENS: Then I am in the dark as to what the Moderator did.

Rev. J. C. SMITH: I think I can clear this matter up.

The MODERATOR: You are not in order.

Rev. J. C. SMITH: There was a question put, to which I think Mr. Torrens refers, when Mr. McClurkin's libel was brought up.

(The Moderator called the speaker to order.)

Mr. TORRENS: There is no answer to that question because the Moderator never asked the young men any questions.

The MODERATOR: Not at that stage of the proceedings. Mr. TORRENS: Did we understand Dr. McAllister right that Presbytery in prosecuting a case on the ground of fama clamosa acted as both witness and judge?

Dr. McALLISTER: The Moderator read from our Book of Discipline, page 82, paragraph 5, at the close of the paragraph: "In prosecutions on fama clamosa, the Court finding

the libel is not to be regarded as a party."

Rev. D. S. FARIS: I want to ask Mr. McClurkin a question or two. Did you aknowledge before the Pittsburgh Presbytery your connection with the East End Platform?

Rev. A. W. McCLURKIN: No, sir, I did not. Rev. R. B. CANNON: Let us hear the question.

The MODERATOR: Did you acknowledge before the Presbytery your connection with the East End Platform?

Rev. A. W. McCLURKIN: I did not.

Rev. D. S. FARIS: What proof have you, against the testimony of the Presbytery that you did not make such a statement?

(Question repeated by the Moderator.)

Rev. A. W. McCLURKIN: I have the proof of my own

mind; the condition of my own mind at that time, and what was uppermost in my mind at that time. And besides the testimony of several witnesses, and 1 do not know how many, who have remarked the very same thing to me. I could not state the number of them, but their testimony agrees with mine.

A MEMBER: What was the testimony of Presbytery?

The MODERATOR: Mr. Faris has the floor.

A MEMBER: I rise to a point of order: That is a leading question and assumes testimony has been given, which should be produced. And this is the point raised by Prof. Willson.

The MODERATOR: It is not the same point.

Rev. D. S. FARIS: When did you bring that testimony forward before the Presbytery? Or did you bring that testi-

mony forward before the Presbytery?

Rev. A. W. McCLURKIN: I offered, Mr. Moderator, when the admissibility of the libel was being considered, to produce the testimony before Presbytery, that the statements in the libel and in the Minutes, which I called for at that time, were not correct.

Rev. D. S. FARIS: Did you prove it?

Rev. A. W. McCLURKIN: I do not know that I was called upon to prove it; that that was my duty at that time.

Rev. D. S. FARIS: How do you prove before this Synod

that your statement, against Presbytery, is correct?

Rev. A. W. McCLURKIN: I think it can be proved in this way before this Synod: that in the absence of proof, or in the absence of my own statements, my own declaration that I made no statement is sufficient to vitiate the libel.

Rev. D. S. FARIS: At what point did you take out your

declinature?

Rev. A. W. McCLURKIN: After Presbytery had decided on the relevancy of the libel.

Rev. D. S. FARIS: Did Mr. McAllister examine you after

you had taken out your declinature as to the fact?

Rev. A. W. MccLurkin: He asked me this question: Were you or were you not at the East End Meeting, after I had taken out my declinature.

Rev D. S. FARIS: And you remained after taking out your declinature to anwer questions, did you? Or, put it this way, did you remain after you took out your declinature to answer

questions?

Rev. A. W. Mcclurkin: Perhaps the legal forms of a declinature are not complied with until the declinature is in the hands of the clerk. That may be the case. But I had stated that I would decline the authority of Pittsburgh Presbytery, and verbally gave my reasons, which reasons Presbytery permitted me to have time to write out during the noon hour.

Rev. D. S. FARIS: Had you delivered your written reasons?

Rev. A. W. McCLURKIN: And in presenting this declinature I was in the process of explaining my reasons, or the steps which led up to my entering this declinature, when the Moderator questioned me.

Rev. D. S. FARIS: You had not then delivered your written

reasons?

Rev. A. W. McCLURKIN: They were not yet delivered into the hands of the clerk of Presbytery.

Rev. D. S. FAVIS: As soon as you had delivered those reasons did you depart from the Court and defend no more?

Rev. A. W. McCLURKIN: I did not take part in the proceedings of the Court; I retired to the rear of the room. I did not retire entirely from the building.

Rev. D. S. FARIS: You made no more answers?

Rev. A. W. McCLURKIN: I made no more answers.

A MEMBER: I would like to ask Mr. McClurkin, if it is in order. Were you at the East End Meeting at its opening?

Rev. J. R. THOMPSON: I object to that.

A MEMBER: That question is not within the limit of the investigation under Mr. McClurkin's declinature and appeal. Prof. WILLSON: I think that shows the necessity of the question being put.

Mr. PINKERTON: I would like to inquire if Mr. McClurkin on the floor of Presbytery expressed his approval of the East

End Platform?

The MODERATOR: Did Mr. McClurkin — —

Rev. J. R. THOMPSON: That question is objected to. There is no evidence before the Court that he did approve it,

and the only question is as to the testimony.

The MODERATOR: If Mr. McClurkin was on trial before the Presbytery that would be a proper question; but now we have no right to ask a question except upon the testimony before this Court.

A MEMBER: That matter was before the Court.

The MODERATOR: Not this statement of approval or disapproval.

Dr. GEORGE: The record of Pittsburgh Presbytery to that

effect was read.

Rev. J. R. THOMPSON: Mr. McClurkin denied he was at the Meeting.

Dr. McALLISTER: He did not deny it.

Rev. J. R. THOMPSON: He called for the testimony of the Court.

The MODERATOR: This question is based upon matters that were brought before this Court.

Rev. J. R. J. MILLIGAN: Was there a minute to the effect that he gave his approval?

Dr. McALLISTER: Let the Minute be read.

(The cleark read as follows):

"Item 2 was adopted. Opportunity was given to brethren

to explain their position and connection with the matters complained of. Statements were volunteered by Revs. J. R. J. Milligan, H. W. Reed, E. M. Milligan, A. W. McClurkin, O. B. Milligan, W. L. C. Samson, H. W. Temple, all of whom attempted a defence of their connection with the adoption and publication of the Platform referred to in the memorials."

A MEMBER: I would like to know if the statement of Mr. McClurkin, made upon that occasion, is the evidence before the Court that he was connected with the East End Platform?

The MODERATOR: The question is, What was the statetement made by Mr. McClurkin before the Pittsburgh Pres-

bytery?

Rev. J. R. THOMPSON: We want to know if there is written testimony to the effect that he made such a statement. Now, the book says that the entire testimony of each witness shall be reduced to writing as nearly as possible verbatim; then read to him, and if necessary corrected, when he shall affix to it his signature. Whe have not a word of testimony before this Court, written out and signed.

Prof. WILLSON; I call that brother to order. Mr. TORRENS: Mr. Moderator, I read here, "Nothing shall be taken into consideration by the Superior Court ——
Prof. WILLSON: I call the member to order. I want them

to keep at the questions.

The MODERATOR: The Moderator is endeavoring to hold to the rule.

Rev. J. F. CARSON: Has there been a record made of the statements made by the complainants?

Dr. McALLISTER: The record has been read.

Rev. J. F. CARSON: I would ask if that is the whole record of the statements made by these men?

Dr. McALL STER: That is the whole record.

Rev. J. F. CARSON: May I ask then what were the statetements these men made? I want from the record the statements these men made?

Dr. MCALLISTER: The record is there and it can just

answer for itself.

Rev. J. F. CARSON: The only record is that these men

attempted a defence.

The MODERATOR: I will put the question in form. Is the record that these men attempted a defence of their connection with the East End Meeting and Platform the only record of the statements these men made?

Dr. GEORGE: That is the Presbytery's record of what oc-

curred on its floor.

Rev. J. F. CARSON: Was it for making that record before the Court that they were accused and suspended?
Dr. McALLISTER: That is a nonsensical question.

Rev. J. F. CARSON: Was it upon that record they were tried and suspended?

(Question repeated by the Moderator.)

Dr. GEORGE: They were tried upon a libel.

Rev. J. F. CARSON: Then may I ask another question; Was this record the record that was put in the libel?

(Question repeated by the Moderator.)

Dr. GEORGE: The libel itself might show. My conviction is that — —

Dr. McALLISTER: The libel is there, and it can be called

for.

Rev. J. F. CARSON: Then I would call for the libel to see

if that is the exact language that is in the libel.

Rev. J. R. THOMPSON: Is there no written testimony on the record of Presbytery forming the charge that Mr. Mc-Clurkin made these statements to it? Because testimony must be written down and signed.

Dr. McALLISTER: This a violation of the rules, and I

protest against it.

The MODERATOR: The members will please confine themselves to questions, without any comments as to what the law is.

The ASSISTANT CLERK: Is it necessary that there be

testimony as to framing the libel?

Pro . WILLSON: We can begin with fama clamosa and ground the libel. We can start in on questions like that.

Dr. McALLISTER: If we are going to have a discussion on these points of law it is well to understand it, because there are points being raised here that involve any amount of discussion, such as, who is a witness, and what is competent testimony. Now, we are past all that. That has already been brought out. If we are to have a discussion on that we are going back to the trial. I insist that members should be confined to asking questions.

Mr. Jos. STEVENSON: I ask for the reading of the testi-

mony on which the young men were convicted.

(At this point a motion was made, seconded and carried, that the asking of questions cease, that the parties be removed, and that Synod proceed to vote on the questions before it.)

Rev. J. R. THOMPSON: I wish to say a few words in regard to Mr. McClurkin's case. Mr. McClurkin simply made a complaint to Sycod, he did not make an appeal. The others

made an appeal and complaint.

In regard to complaints, the book says, page 83: "A complaint brings the whole proceedings in the case under review of the superior judicatory; and may result in censure upon the inferior, and also in reversing the decision complained of." Now, Mr. Moderator, in regard to this motion that the complaint of A. W. McClurkin be sustained, I have a very few words to say. It is such a plain simple case that I am sure this Court will decide it in ten minutes. I read the

law, as I read it before, where a party appeals we have no right to introduce any testimony here but what is found on the record; we cannot call up any man to give testimony in this Court. We are to base our decision upon the record, nothing more, nothing less. I will read the law: "The entire testimony of each witness shall be reduced to writting as nearly as possible verbatim; then read to him, and if necessary corrected, when he shall affix to it his signature." Now, I make an appeal to this Court, Is there any written testimony on the Minute Book that has the signature of A. W. Mc-Clurkin affixed to it? Not one syllable, not one word. Why, a police court would throw this case out in five minutes! There is not a scintilla of evidence. We are to base our judg-ment, not upon the speeches made, not upon hearsay testimony, not upon the testimony of any witnesses that might be presented here, but we are to go to the written record. There is the only testimony we have, and the testimony of that record is just this, that he defended his case. Not one word as to what he said! He made no confession: he made no acknowledgement. There is not the word of one witness to prove that he was at the East End Meeting; not one witness to prove that he approved of the Platform,

We cannot go behind the record, and I think we ought since the Presbytery has not furnished us with one word of testimony, signed by the witness, to throw the case immediately out of Court. I am surprised that we have a professor of the church here, Dr. Willson, who ought to know more, and we have Dr. McAllister, and Dr. George, prominent, influential men, defending this action. They ought to know what church law is. They ought — —

The MODERATOR: The speaker will please confine him-

self to the one point.

Rev. J. R. THOMPSON: Now, I hold that it is unjust, I hold it is wrong, to condemn a man and suspend him without any testimony, and there is no testimony on the record. It is a very solemn, sacred thing, to stand up, in the name of the Head of the Church and suspend a minister from his office, and leave him, for nearly six months, without anything to do. It is a very solemn and important matter, and no church Court should ask the prerogative to suspend a man without testimony, given before the Court,—testimony written down,—testimony signed by the witness. And as we are to decide the case on that testimony, and on nothing else, I argue that this case ought not to be entertained for one moment.

There is no evidence that he confessed being at the East End Meeting. The statements that were made by members of Presbytery do not show that, even admitting we had any written testimony. Their statements do not prove, and have not proved to this Court that he acknowledged being at the East End Meeting. He denied it. He would not confess it,

and it was their place to bring forth testimony that he was there. Then again, there is no evidence that he has approved of the Platform of the East End Meeting. Why, sir, you might as well charge me with having been at that Meeting and indorsing that Platform! If you would bring a libel against me to-day I would call upon you to bring up witness. . es, to produce your testimony, to have your testimony written out and signed by the witness. Mr. Moderator, this is not the first trial I have been in in church courts, either in session. in Presbytery or in Synod, and I have never yet seen a case before a court, where there was an attempt to convict a man unless the testimony was in black and white, written out and signed. Now, I will not argue any further on this matter, in regard to the injustice of the suspension. Why, I might make a speech on that, but I just make this one point, that there is no testimony, I appeal to you Fathers, I appeal to you Elders, to-day, if you were the one on trial, if your son was on trial, would you submit to it for one moment, to be convicted and suspended from the privileges of the church, and from the ministry, without the slightest syllable of testimony? They say he made statements, that he acknowledged he was at the Meeting. But he denies that, and they have no written testimony to prove it. McClurkin be sustained. I move that the complaint of A. W.

Rev. D. S. FARIS: I want to make a motion before this -Rev. R. B. CANNON: I want to make a motion, and my motion is this: Mr. McClurkin declined the authority or right of Presbytery to try his case just at the very commencement. It is what is called an interlocutory appeal. That is the first thing we have to take up, and determine,—whether or not he had good cause of appeal. I contend this is according to our practice, and according to our Book of Discipline.

Rev. D. S. FARIS: I want to make a motion that in the consideration of all these cases the speakers be limited to five minutes.

(Seconded and carried.)

Rev. J. McCRACKEN: I have some resolutions with reference to the question, the main question, the real issue before us; and I will read, first, the resolutions with reference to the case before us; "Resolved, that although in the review of these cases some informalities have appeared, they have not seriously affected the procedure: Therefore, the complaints of injustice and wrong be dismissed.

"Resolved, that Revs. H. W. Reed, W. L. C. Samson, E. M. Milligan, J. R. J. Milligan, O. B. Milligan, having fully and distinctly avowed their presence at the East End Meeting and their responsibility for its published Platform, thus putting the facts of the case beyond question, their appeals be dis-

missed.

"As the conduct of the case has brought to view misunder-

standings, arising largely from a want of confidence between the parties, and which misunderstandings have unhappily complicated the case with personal elements, and as the sentence has been severely felt by the parties who have been under it for a period of five months. Resolved, that their suspension be now removed on their acceptance of the following conditions: First. That they severally express their sorrow for the dissensions in the church so far as they have been the occasion of the same. Second. That they disayow the East End Platform as a bond of union within the Reformed Presbyterian church and that they withdraw from the agreement to maintain the principles set forth in the Platform. Third. That they engage to abide by the existing laws of the church as to voting at civil elections and holding office, and to carry them out in the exercise of their office, and engage not to propagate contrary views to the above while holding the position of ministers in the Reformed Presbyterian church.

"Whereas Rev. A. W. McClurkin has denied in this Court that he ever made any acknowledgment of responsibility for the East End Platform, and Pittsburgh Presbytery furnished no record of such statement, and that Rev. E. M. Milligan has declared on the floor of Synod that A. W. McClurkin had no part in the making of the Platform, Resolved, that this complaint be sustained and his case be dismissed. "Resolved, that Synod condemns the East End Platform, particularly in the following points: 1. We condemn article 1, clause 2, which reads: 'Yet the terms of communion ought to be limited to the plain requirements of the Scripture, namely, faith in Christ and obedience to His revealed will, as misleading, and as it is defined by its advocates, manifestly contrary to our standards. 2. We condemn the second plank, second clause, which reads: 'Without binding them to our explanation in the matter of political dissent and other things,' as nullifying and abolisting the functions of the creeds of God's house. 3. We condemn the third plank, 'That restricted communion and not close communion is the teaching of the Bible and of our standards,' as contrary to and misinterpreting the standards. 4. We condemn the sixth article as opening up interminable controversy and strife and affording constant opportunity to distract the church and disturb her peace and bring into contempt her cherished doctrines and established principles."

(Immediately upon the motion being seconded, five persons arose and called for the ayes and noes, and the Moderator directed the clerk to proceed to call the roll, which he did.)

The MODERATOR: The question that we are to vote on now is, that Mr. Thompson's motion be laid on the table for the purpose of entertaining the substitute offered by Mr. Mc-Cracken.

(The clerk having finished the calling of the roll, the Mod-

erator announced that the vote stood ayes 125, noes 42: the

motion being carried.)

Rev. N. R. JOHNSTON: I rise now to move that the motion now before this Court be laid on the table until we can have a printed copy of this paper, because it is so important that we cannot vote without it.

Motion seconded.

Dr. McALLISTER: I wish to give notice of my dissent, for the reasons that have been already given, and especially for this one reason, that this is interfering with the due and regular order of these cases as cases of discipline.

Rev. J. R. THOMPSON: I am sorry that the motion to lay on the table has been carried. You have matter enough in

that paper to last this Synod for discussion one month.

Rev. J. C. SMITH: I want to make a remark on the motion. I do not think it is necessary to do this. We can take this paper up, item by item, and surely when we have the items before us, one by one, we can consider it.

Mr. WALTER T. MILLER: I think we ought to have it

printed.

A MEMBER: The reporters say that if the Court will give them the paper, they will have it printed in the papers to-morrow morning.

(The motion to lay on the table until printed copies could

be obtained was then put and declared lost.)

Prof. D. B. WILLSÓN: Mr. Moderator, we are just where we were Saturday week, only a good ways further back. Mark my words, we are just where we were Saturday week, but a good ways further back. You have here brought before you a paper which will keep us here during the month of June, because it brings before us the whole subject of the East End Platform, upon which we know perfectly well, from discussions of the past year, there are serious differences in our church. There are men here who have committed themselves to that Platform in writings going throughout the past year, and who are fully prepared. I think, to speak here one day each. Now that is my opinion. I want to expressly insist upon it that the Book of Discipline says that after you have heard the case, the motion shall be to affirm or reverse the decision of the Court. You will please read, Mr. Moderator, the rule.

The MODERATOR read: "In making up its decisions upon cases of appeal, the Court will proceed by motion made and seconded: and the decision may be either to confirm or reverse, in whole or in part; or to remit the cause for the purpose of amending the record, if it be found defective, or

for a new trial."

Prof. WILLSON: You will notice, Mr. Moderator, that all those motions specified there are judicial, and they tend to get a righteous decision on the case,—confirm or reverse the

decision, remit for defective record, or for anything in a judicial line. My Brother Thompson's motion was judicial, that is, that you sustain the complaint of A. W. McClurkin. And that is the motion that is germane to the subject at this point of procedure. The parties have been thoroughly heard. The case has been discussed for many days. Everything has been brought before you,—all light that is judicial. We are sitting here as a court of the church, the superior judicatory of our church, in this land. Now, I wish to bring before you that this is an extra-judicial proceeding. It is partly judicial and partly non-judicial, as you see at once from this: When we are debating one thing Pittsburgh Presbytery was said to be removed.

The moment that motion was laid on the table, the Moderator said Pittsburgh Presbytery had a right to be heard. Of course it had a right to be heard, because the general subject

was up again.

Now, I wish to say that this is a very perilous and dangerous course of procedure for a court. When we have had a case brought before you for you to say who is right and who is wrong, we want your decision. For my part, I want you to decide the case. But this mode of proceeding by a partly judicial procedure, mixed up with resolutions, is not of the character of judicial proceedings, and is no settlement of the

case at all. It is no settlement of the case at all.

I would call your attention to the fact that you had brought before you the head line, "A Truce Declared," by my brother representing Pittsburgh Presbytery. You saw that it was construed as a truce. The brethren that were before Pittsburgh Presbytery said, that when those resolutions were brought in by Dr. George they looked upon them as coming in in bad faith. Because he took on himself to condemn the East End Platform when their mouths were stopped from defending it; therefore they looked upon it that that settlement in the Committee was not observed by Brother George, for the reason that it was opening up the subject again after a basis of agreement had been reached. You then said the Platform was wrong, and yet expected them to keep still with reference to that Platform.

We were thus brought face to face with the fact that when men have convictions they do not intend to be silent upon those convictions. That is what we heard in Presbytery. That is what we heard on this platform,—that men who have convictions will utter them. And we have had a measure of this during the past year, in the discussion of the principles of our church, by those setting up that practical political dissent ought not and cannot constitutionally be required by the

Covenanter church.

Now, I will tell you just where we are. We are just where Pittsburgh Presbytery was when the Judicial Committee framed the basis of agreement. It won't amount to a straw; it won't stop the discussion in the Covenanter church, but you will have a worse state of affairs than you have now.

There are people in our church that have the conviction that the standards of the church teach that practical political dissent should be required, and those people have been looking to this Synod for a decision. Now, to vacate your place, to lay aside your judicial proceeding and settle a case like this! It will rise to trouble you, and I say what I did say last Saturday, and I will say it over again, that I mean to protest to the end against the highest court of the Reformed Presbyterian church avoiding an issue, and saying it is not prepared to say that practical political dissent is to be enforced by the Presbyteries and Sessions of our church; and I want to say, likewise, to you, that there is a false impression in this matter, that somehow or other you have to relieve the young men here and now. The members are not cut off from the Covenanter church by the sentence; they are simply remanded to the Presbytery under whose jurisdiction they are, to deal with them. Pittsburgh Presbytery thinks they have done wrong, and has decided they have done wrong. They have appealed from that, and they say they did right. You have a clear issue brought before you of right and wrong. If you make anything of a settlement you will face nothing but disaster. If, when you have reached this stage of a judicial proceeding, you attempt in this extra-non-judicial way to settle a question fairly brought before you, as the highest supreme judicatory of the church, you will meet with nothing but disaster. In other words, as stated in the General Assembly of the Presbyterian church, the highest court of the church can declare the law, and in a concrete case can only decide between parties appealing to it for a decision. You are going out to broken cisterns that can hold no water; you are crying, "Peace, peace," when there is no peace.

Mr. WALTER T. MILLER: I move we call for the read-

ing of the resolutions.

. Dr. T. P. STEVENSON: Is it not true that these resolutions provide for a formal deliverance upon the e three points: 1st. The dismissal of the complaint of injustice and wrong. 2nd. The dismissal of the appeals. 3rd. The sustaining of the complaint of A. W. McClurkin. Do not those resolutions, which are proposed for the action of this Synod, include in themselves a formal judicial deliverance on those three points?

Rev. J. C. SMITH: Certainly they do.

Dr. T. P. STEVENSON: How then can it be said that the adoption of this series of resolutions, which are presented as formal deliverances of this Synod on the whole case, would be an extra-judicial or non-judicial procedure? And, furthermore, is it not entirely competent for this Synod, in giving a

judicial issue to this trial, to make a declaration, and to pass resolutions, such as it may deem, in its wisdom, needful to express its judgment upon the whole case? And then, furthermore, when we have these resolutions before us, as we now have, by the vote of this Synod, is it not competent for this Synod, as we proceed to consider and adopt them, step by step, if at any point it be deemed preferable to send these appellants back to their Presbytery, is it not competent for this Synod to take that action? When we take up the resolutions we can amend them, step by step, to express the best judgment of this Synod upon the whole case. And, then, it is not clearly understood in what order these resolutions will come before us. The mover of the resolutions said he thought the preferable order would be to adopt the resolutions first and the judicial deliverances afterwards. That is not, however, the order in which they were read.

(The motion made by Mr. Miller was then seconded by Rev. J. C. Smith and Rev. D. S. Faris, and being put to vote was declared carried.)

Rev. J. McCRACKEN: Let me explain to you: I have been here personally now ten or eleven days, and the church is agitated to its circumference. The brethren at home are looking to us for a settlement of this question. It cannot be settled upon a merely technical legal point. It has got to be settled upon the great issues that are involved in it.

Prof. WILLSON: I would like to ask Brother McCracken a question: Do resolutions bind any person but those voting for them?

Rev. Mr. McCRACKEN: A decision of the supreme court, issued in the name of the supreme court, dismissing an appeal dismisses it.

Prof. WILLSON: I asked you in regard to resolutions.

Rev. Mr. McCRACKEN: The language of the paper is,

"that this appeal be dismissed."

Dr. McALLISTER: I just want to say a word or two. I voted against these resolutions for the reason that they came up, as I understood when they were read, as resolutions and not as judicial deliverances. I would have preferred to meet every point judicially. If these are understood to be judicial deliverances, then my objection is largely withdrawn.

Rev. Mr. McCRACKEN: I will make them that. I have written there, "the cases be dismissed," If that is not a judicial deliverance I do not know how to make one.

The MODERATOR: The clerk will read the item.

(The clerk read:)

"Resolved, that, although in the review of these cases some informalities have appeared, they have not seriously affected the procedure: Therefore, the complaint of injustice and wrong be dismissed."

Rev. D. S. FARIS: I move its adoption.

(Motion seconded.)

Dr. McALLISTER: I insist that we shall have a judicial deliverance; and if this is offered as a judicial deliverance, then I have no objection.

Rev. J. R. THOMPSON: I want to understand this.

(The clerk again read the paper.)

Dr. J. C. K. MILLIGAN: This is a motion to decide upon a complaint of injustice and wrong against Pittsburgh Presbytery. Have they a right to vote?

Dr. McALLISTER: We do not claim the right to vote.

Dr. T. P. STEVENSON: On this motion I call the ayes and noes. I think when we have the ayes and noes upon comparatively unimportant matters we ought to have them on so important a matter as this.

Rev. J. R. THOMPSON: Is that item to be discussed?

The MODERATOR: That item is open for discussion; the speeches are limited to five minutes. Dr. Stevenson has the floor.

Dr. T. P. STEVENSON: I was not rising to discuss the

paper. I only rose to call for the ayes and noes.

(Cries of "question," "question.")

À MEMBER: It was voted to entertain a substitute motion and to take it up item by item for adoption. Is that before us until a motion is made to that effect?

The MODERATOR: A motion has been made to that

effect.

(By request the paper was again read.)

Rev. J. S. T. MILLIGAN: Is this intended to refer to the

case of Mr. McClurkin?

Rev. J. C. SMITH: I suggest, this should read so as to include all except Mr. McClurkin's case, as that is the understanding.

Rev. J. R. THOMPSON: Mr. McClurkin's case should come

The MODERATOR: What is the understanding of the

meaning of this resolution?

Rev. J. C. SMITH: I was aking that the mover and all of us agree that it shall refer to all the cases except Mr. McClur-

kin's, as that case is to be considered separately.

Rev. Mr. McCRACKEN: There is a special article for Mr.

McClurkin's case.

Rev. J. S. T. MILLIGAN; Brethren, this resolution contains a matter of very serious importance. I am very free to concede that there are principles lying back of this procedure that are of vast importance. I would to God that this judicial procedure would settle all the matters that are before the Reformed Presbyterian church.—ali the questions in issue. But five minutes only are allowed me for what I have to say on this matter. I wish to say that the question of the admis-

sibility of a libel is not a matter of small import. The question of the testimony, especially when that testimony connects with a matter of confession, is a very important matter. We have all heard that these statements should be reduced to writing. Why? So that the declaration of the parties in the matter will thus always, in the whole course of the trial, be a matter that can be referred to with definiteness and accuracy. The case of Mr. McClurkin is an illustration. They, by going on in this matter, pursued a course that I am free to say I believe would not stand for a moment in any court in the United States or in the civilized world. I am, of course, not very familiar with the procedure of other bodies, but I submit it should not stand for a moment, on the trial of a case, with the testimony in the form in which we have it.

Then, in regard to the relevancy, the leading defender of Pittsburgh Presbytery admitted that the discussion of the relevancy was ruled out. Was ever such a thing heard of! That the charge in the libel was the only matter to be considered in the matter of relevancy, and not the specifications! Why, you see there should have been opened up at that point the discussion of all these questions concerning whether or not the first plank, the second plank, and the third plank and the fourth plank, etc., are agreeable to or contrary to the principles of the Reformed Presbyterian church. I submit, if I were going to be turned out of the Reformed Presbyterian church, I would want to make my defence upon what I believe to be the principles of the Reformed Presbyterian church. By that ruling they cut off from showing that their views were consonant with the principles of the Reformed Presbyterian church.

And, then, in regard to the matter of suspension after the appeal. I believe Dr. McAllister interpreted substantially correct what we have in Steuart's Collections, that according to that book the Presbytery may go on and even suspend the parties; but if they take an appeal, and follow it up, the action is sisted by the appeal even then. Now, I admit that the United Presbyterian church and the Presbyterian church have adopted another course; but I think this is the wiser

course.

Dr. GEORGE: I rise to this point of order: The point which my brother is discussing is not a point that is involved

in the complaint of injustice and wrong.

Rev. J. S. T. MILLIGAN: Why deprive men of their relation to their congregations for six months, and send these sheep without a shepherd during all that time! Was there ever such a thing heard of! And to be suspended before the world as guilty of that, on account of which they deserved to be suspended from office, and be suspended from the privileges of the church! Why, I am astonished that that matter should not be considered a matter of injustice and wrong!

And I want to say that I believe in the history of civilization; according to the Encyclopedia Britannica, it is one of the precious principles of liberty that every man in the state and every man in the church has a right to have the decision of the tribunal, in the church or in the state, before the sentence is executed upon him. In this case that sentence was suspension. There might have been extraordinary circumstances that would have warranted a precautionary suspension when the matter was flagrant, as adultery or some of these things; but suspension as a judicial sentence, executed upon these parties—

(Here the hammer fell.)

Dr. JAMES KENNEDY: I have not occupied any of your time, but I would like to say a word or two on this occasion. The opening language of our brother, Dr. Willson, struck me as something very strange. He said we were here just at the same place we were eight or ten days ago. If that be so, we have come through very little, after all the grand oratory and all the eloquence that has been thrown away upon us. And it is said we ought to be better children than we are, after all we have come through-I would say, the school of tribulation. We have benefitted neither by our mercies nor by our sufferings. I think we are a good piece in advance. And there is one thing I want to say, and that is, It is particularly gratifying to me to understand that our deliverance was to be drawn up in its present shape; and I hold that a deliverance in that shape and form is as much a judicial deliverance as any other deliverance that could be made. But the thing that gratified me particularly is this: that we can under this form get at the whole subject. Now, it has relieved me very much, because, in the first place, I could not conscientiously vote for sustaining in every case the action of Presbytery. In the second place. I could not conscientiously vote to sustain in many different respects the appeals of the young men. The consequence is. by taking this course. I can point out what I have a right to object to of the one and of the other; and I can act, not as a partizan, not as following or dragooned by anybody, but I can stand here and vindicate the ground of my action, and I can ask candid men to hear my opinions. But, really, there are various points in the action of Presbytery on which I believe their action could not be sustained. In the first place, if they had improved the opportunity that was offered them when they agreed upon a basis, that would have relieved all the difficulties between the young men and the Presbytery; and if the Presbytery had carried out that agreement, without any additions, that were sure to give offence to the other side, the whole thing might have been settled, and we might have avoided this trouble. Our Book of Discipline says that the first step of censure is admonition, the second is rebuke, and the third is suspension. They seem to have

jumped over the first two. They had an admirable opportunity of bringing admonition and rebuke to bear upon these men when they were so near a settlement of the whole diffi-culty. Instead of that they went on and suspended them, and that brings out my second reason for not being able to sustain the action of Presbytery. My second reason is this: The Book of Discipline of the Presbyterian church in Ireland contains three grounds on which an appeal may be sustained: 1. The first is informality in the proceedings of the inferior court. 2. The second is, disproportion of the sentence to the charge proved. Now, I hold that the censure inflicted was entirely disproportionate to the charge, even supposing the charge had been more fully proved than it was. Therefore I could not, on these grounds, conscientiously vote to sustain every part of the action of Presbytery, and I am glad that this matter has been put in such shape that I can vote, and at the same time not in any wise be associated with any of the parties in this dispute. In the second place, I have to say that there are many things in connection with the seven suspended ministers that I could not support. For example --

(The Moderator announced that the hour for recess had

arrived.)

Dr. JÁMES KENNEDY: I have not troubled you in times past, and you will allow me just to finish.

(By unanimous consent the speaker was allowed to continue

his remarks.)

Dr. JAMES KENNEDY: There are some things in the appeals of the young men that I would have difficulty in conscientiously sustaining, as those views which I referred to on the part of Presbytery. One is this: That it does not matter a bit whether the East End Platform was an organization or not. That thing is not worth fighting about one moment. It was a wrong and a mistake, and it gave a view of obligation on the part of some of our members that I believe is inconsistent with our standards. I could not, therefore, conscientiously sign anything that seemed an approbation of the statement of that Platform.

(The Court, upon motion, adjourned until to-morrow morning.)

MORNING SESSION.

WEDNESDAY, JUNE 10, 1891.

The MODERATOR: At the time of adjournment yesterday evening, we had under consideration the adoption of the first part of the paper submitted by Rev. J. McCracken.

Mr. WALTER T. MILLER: I wish to give a general idea of the amendments that I propose. I propose that the resolution shall be amended thus, and will move at the proper time that the word 'Resolve' be omitted, and begin the

record something like this, "The Court having done," so and so, and "having laid the motion concerning A. W. McClurkin on the table, finds that, although in the review of these cases some informalities have appeared, these have not seriously affected the procedure and conclusions of Pittsburgh Presbytery." The amendments, as those that are following will see, are, "and conclusions of Pittsburgh Presbytery," and "finds."

Dr. McALLISTER: Will you allow me a word. I recognize I am one of the parties removed, and it is simply to get at the matter that I wish to speak. We had this before us yesterday, and the first point was up for discussion and was being discussed. If there are any amendments, amend-

ments can be made when points come up.

Mr. W. T. MILLER: I will make my amendment. I want, in the first resolution, to omit "Resolve," and say, "The Court having laid the motion concerning A. W. McClurkin on the table, finds."

Mr. D. TORRENS: Is seems to me that would be a substi-

tute for the resolution.

Mr. W. T. MILLER: No, sir; it is an amendment. The Moderator will decide whether it is germane or not.

The MODERATOR: Let us have the resolution read as it

is, and then let us have the amendment.

(The clerk again read the first item.)

The MODERATOR: State the amendment.

Mr. W. T. MILLER: My first amendment is to begin the record in this form: Leave out he word "Resolve," and begin "The Court finds." The first proposition is to leave out the word "Resolve," and begin the record, "The Court having laid the motion concerning A. W. McClurkin on the table, finds."

Rev. J. C. SMITH: Let me suggest that the first part is

unnecessary; we have adopted a record on that.

Mr. W. T. MILLER: I want to make a new record; this is a new day. "Finds, that although in the review of these cases some informalities have appeared, they have not seriously affected the procedure;" and then an additional amendment, "and conclusions of Pittsburgh Presbytery." "And it is further ordered that each of these appeals be dismissed."

The MODERATOR: The appeals are not before us.

Mr. W. T. MILLER: "That each of these complaints be dismissed." Now, if some one will second my amendments, I will put them in exact form so that they shall appear properly, and then you can pass on the motion whether you will consider them. (Seconded.)

Rev. D. S. FARIS: We have already decided that we would take these up separately. It seems to me he is taking them

up now.

Mr. W. T. MILLER: I have only got one.

The MODERATOR: This is only an amendment as to the complaints.

Rev. D. S. FARIS: Is it germane?

The MODERATOR: It seems to be too much. If it is all to be noticed at once it will have to be looked upon as a substitute.

Mr. W. T. MILLER: Allow me to say, I do not change the

sense.

Rev. J. S. T. MILLIGAN: If he will confine his amendment to the first part I will second his motion; that is, to make a definite statement in regard to Mr. McClurkin's case being left out.

The MODERATOR: His first amendment does not include

that.

Mr. W. T. MILLER: My first motion is,—I have to give the Court some understanding of why I propose all this,—to omit the word "Resolve."

(Motion seconded and carried.)

Mr. W. T. MILLER: My next motion then is to begin the record, "The Court having laid the motion concerning A. W. McClurkin on the table."

The MODERATOR: That cannot be entertained, for that is a matter passed on yesterday. It was laid on the table.

Mr. W. T. MILLER: Can I not make it that so it will be clear in the future how the record begins this morning, "This morning the Court having done" so and so.

The MODERATOR: That was done yesterday.

Mr. W. T. MILLER: I know it was done yesterday.

Rev. J. C. SMITH: Leave that out.

Mr. W. T. MILLER: All right. I move that it be amended, in place of the word "Resolve," "The Court finds."

(Amendment seconded.)

Mr. W. T. MILLER: The words I propose to add are, "The Court finds."

Dr. R. B. CANNON: What are the words? Mr. W. T. MILLER: "The Court finds."

Dr. R. B. CANNON: I would second Mr. Miller's recommendation to read in this way: Although in the review of these cases some informalities have appeared, nevertheless they have not seriously affected the procedure and conclusions of Pittsburgh Presbytery; and that the complaint of injustice be dismissed.

Rev. D. S. FARIS: I have a speech to make, and my speech will be in the shape of another amendment, but, of course, I do not propose it as an amendment, as it would not be in order just now: "We find there is no evidence of criminal intent on the part of Pittsburgh Presbytery in the trial of this case," or you can put in, "in the several cases;" I have not them here, but that can be added; "That although there is some informality in the prosecution of the libel there is no

ground for the complaint, and that it be dismissed." I propose that as an amendment of the motion we have before us,

and as a division of the question.

The MODERATOR: You will have to move to lay on the table first. Mr. Miller has moved an amendment, inserting the words, "The Court finds." That is the motion before the house.

(The motion of Mr. Miller was then put and carried.)

Rev. D. S. FARIS: Is there a motion before the house? If not, I move the motion we have before us be amended in the way of a division.

Mr. W. T. MILLER: I still have the floor.

The MODERATOR: Let Mr. Miller state the remainder of his amendments.

Rev. J. R. THOMPSON: We do not understand Mr. Miller's motion. Some of us could not vote at all. I am sure I cannot understand it.

The MODERATOR: Mr. Miller has the floor.

Mr. W. T. MILLER: "Although in the review of these cases some informalities have appeared;" I wish to move that the word "they" be changed to "these."

The MODERATCE: It is very difficult to state just the exact addition to this motion unless the whole motion is read

as it has been so far amended.

Mr. W. T. MILLER: I will read it.

The MODERATOR: Read the whole motion clearly so the Court can understand the condition of the motion as it now is.

Mr. W. T. MILLER (reads): "Although in the review of these cases some informalities have appeared, these have not seriously affected the procedure." I have another amendment coming.

The MODERATOR: You can only make one amendment

at a time.

Rev. J. McCRACKEN: It is simply a question of grammar. The MODERATOR: If there is no objection that will be inserted.

(There was no objection, and it was so ordered.)

Mr. W. T. MILLER: After the word "procedure," I move to insert the words, "and conclusions of Pittsburgh Presbytery."

(Motion seconded and carried.)

Rev. D. S. FARIS: I want to make my motion now, and I will make a remark in favor of it after I offer it. "First. We find that there is no evidence of criminal intent on the part of Pittsburgh Presbytery in the trial of the complaint before us. Second. That although there was some informality in the prosecution of the libel, there is no ground for the complaints, and that they be dismissed." Now I will give the reason for making this motion.

(Motion seconded.)

The MODERATOR: That will have to be offered as a substitute.

Rev. D. S. FRAIS: I intend to make a division of the question. I intended to call for a division, but I thought in examining the motion at first made that it could not be divided.

The MODERATOR: The motion to be made is a motion to lay the former motion on the table for the purpose of entertaining the substitute.

Rev. D. S. FARIS: I make that motion.

(Seconded and lost.)

Mr. W. T. MILLER: My next amendment is to insert the word "Ordered." I read from the beginning: "The Court finds that although in the review of these cases some informalities have appeared, these have not seriously affected the procedure and conclusions of Pittsburgh Presbytery; Therefore, it is ordered that these complaints be dismissed."

The MODERATOR: What is the motion now? Mr. W. T. MILLER: The motion is, that in place of the latter part of these resolutions --

The MODERATOR: What is it?

Mr. W. T. MILLER: That it is "Therefore ordered that the complaints of injustice and wrong be dismissed." "It is therefore ordered that the complaints of each of them of injustice and wrong be dismissed."

The MODERATOR: You move those words be inserted in

place of what?

Mr. W. T. MILLER: Of the words, "That the complaints of injustice and wrong be dismissed."

(Motion seconded.)

Rev. J. C. SMITH: This is not specific enough, because we do not wish to have all the complaints dismissed.

The MODERATOR: The other case is not before us.

Please state that amendment specifically again.

Mr. W. T. MILLER: "Finds that although in the review of these cases some informalities have appeared, these have not seriously affected the procedure and conclusions of Pittsburgh Presbytery. It is therefore ordered that the complaints of

injustice and wrong be and are hereby dismissed."

Dr. T. P. STEVENSON: Let us understand that this is simply a motion that this resolution, if it be adopted, shall be adopted in this form; that the vote which is now to be taken does not dismiss the complaints, but is imply a question of verbiage; that when the whole motion shall be adopted, this particular part of it shall stand in this form.

The MODERATOR: That is the amendment you now pro-

pose, "It is therefore ordered."

Mr. W. T. MILLER: Yes, sir.

Rev. P. H. WYLIE: I would like to hear Dr. Stevenson's explanation.

The MODERATOR: His explanation was, that voting on

this does not adopt the whole proposition or resolution, but simply adopts the amendment, "It is therefore ordered."

Rev. D. S. FARIS: I am opposed to this amendment. It does not relieve the motion at all of its complication. The motion is complicated, and ought to be divided. There are two things in it. The first thing in the motion is, the injustice and wrong of Pittsburgh Presbytery, and the next thing is the informality. Now, in regard to the injustice and wrong the Pittsburgh Presbytery have no right to vote; they cannot waive the right for they have no right. In regard to the informality they can waive the right because they have the right. My motion was designed for the purpose of dividing so that we might vote according to our minds on the first and on the second part. I am therefore opposed to the motion we have before us because it leaves the complication just as it was.

The MODERATOR: The motion before us is simply an amendment, "It is therefore ordered." That is the only

motion before us.

(The Moderator then put the motion to a viva voce vote, but was unable to decide whether the motion was carried or lost, and called for a standing vote, upon which the motion

was carried.)

Rev. D. S. FARIS: I move the motion be divided so as to allow the injustice and wrong to be voted on in the first place, and the informality in the second, so that we can exclude the Pittsburgh Presbytery on the first and admit them if they see fit to vote on the second.

The MODERATOR: In what form will that motion have

to be stated?

Rev. D. S. FARIS: I would have to make some changes to avoid presenting the form that has been presented: "First. That there is no evidence of criminal intent on the part of Pittsburgh Presbytery in the trial of these cases. Second. That though there is some informality in the prosecution of the libel, there is no ground for the complaint, and that it be dismissed." I am willing, of course, to introduce the judicial language, but I do think the thing ought to be divided.

The MODERATOR: That would be in the nature of a sub-

stitute.

Rev. D. S. FARIS: Can we not call for a division substantially like this?

The MODERATOR: Read the resolution as it now stands and see how the division can be made.

(Paper read.)

Rev. D. S. FARIS: I have the amendment, that it be amended to read: "That there is no evidence of criminal intent on the part of Pittsburgh Presbytery in the trial."

Rev. J. McCRACKEN: I oppose that amendment. I am opposed to it because in preparing this and submitting it to

one or two brethren, one point that we had in view was to keep out all this personal element. We did not want to bring up any reflections upon any person in the judicial action, or the shadow of a reflection. I think it ought not to be entertained.

Rev. N. R. JOHNSTON: If we bring in these amendments, one after another, we will be here another whole day. Now, I think we can vote on these resolutions in the spirit of conciliation, and I hope we will vote down everything and give both parties a chance.

Rev. D. S. FARIS: I want to state a point I have not brought out, in regard to the right of the Presbytery on the

floor of this Synod.

Prof. WILLSON: Is Pittsburgh Presbytery removed?

The MODERATOR: Yes, sir.

Rev. D. S. FARIS: My idea is not particularly in regard to this case, but in regard to the precedent we are making. You will remember when I was moderator of the court, I made a decision upon this point, and an appeal was taken, and the court sustained the moderator. That makes one precedent. That put down one post. Our Book says that in complaints, as well as in appeals, the Presbytery shall vote, except in the case of injustice and wrong, charged by the appellants. Now, we are about to make another precedent. I hold that my position was wrong. I was convinced of that wrong chiefly by Rev. J. C. K. Milligan, in a private letter, and in an article which he published in the Banner, from which a portion was

read vesterday.

Now, the importance of my resolution is not so much in this case as in cases that will come in the future. If we throw Pittsburgh Presbytery out in this whole motion, we have established a precedent that we can never reverse, and large Presbyteries may be concerned in questions in which they, voting with the majority of Synod, would turn it one way, and the Synod, voting without them, would turn it the other way. I want to provide against anything of that kind in the future, for it may even, some time or other, affect the testimony of the Reformed Presbyterian church. I think you ought therefore to allow this amendment to go in dividing the question, so that we can vote on the injustice and wrong, shutting off Pittsburgh Presbytery, and then vote on the complaint, and allow them either to vote or to waive their right as Gargaer fit.

The MODERATOR: State your amendment.

Rev. D. S. FARIS: I do not think I can state it in consistency with the resolutions you have on the table; but I can give you the substance as I have written it: "That there is no evidence of criminal intent on the part of Pittsburgh Presbytery in these trials."

The MODERATOR: This is moved as an amendment.

Rev. P. H. WYLIE: I oppose it for the very reason that Mr. Faris offers it. Now, we have heard during the past few days that the motive of those who held the East End Meeting was not impugned, and that that did not come in this case. I do hold that a complaint cannot be sustained against Presbytery without impugning the motives of Presbytery. I do not think it is wise to set a precedent of that kind; in order to sustain a complaint of injustice and wrong we must necessarily impugn the motives of Presbytery in their action.

Rev. J. S. T. MILLIGAN: I indorse the remarks that have been made. I was going to say that I do not see how this can divide the motion. Then, moreover, it certainly is out of place for the Presbytery to vote upon any part of this resolution we have before us, because the complaint bears against the whole procedure, and therefore, although in some of its forms it is in the form of an appeal, yet an appeal may contain the elements of a complaint. Now, my recollection in regard to the adoption of our rule was, that it would be wrong to rule out a lower court in the set lement of a question of law; but in all matters of procedure the lower court ought to be excluded from voting. That, I know, was the understanding in the adoption in 1863 of our Book of Discipline. I think it would be very wrong to exclude a lower court from settling a principle or a matter of law; but so far as procedure is concerned the court is certainly excluded.

The motion made by Mr. Faris was then put to vote and declared lost. The motion before the Court was then read, as follows: "The Court finds that although in the review of these cases some informalities have appeared, these have not seriously affected the procedure and conclusions of Pittsburgh Presbytery; It is therefore ordered that the complaints

of injustice and wrong be and hereby are dismissed."

The ASSISTENT CLERK: I would like to make a single remark before that is put to vote. If the complaints are dismissed, the responsibility rests in one place; if the complaints are not dismissed, the responsibility rests in another. In my own judgment the complaints have not been sustained, and I think the Synod should so vote. Suppose, now, that the complainants have made their case. These four things would then be true: 1. That the Pittsburgh Presbytery is guilty of injustice and wrong in suspending these ministers for a period of five months. 2. The Pittsburgh Presbytery is guilty of the dissensions and distractions in these various congregations. 3. The Pittsburgh Presbytery is then guilty of the distractions, dissensions and heart-burnings throughout the church. 4. The Pittsburgh Presbytery would then be guilty of the wrong done to the Christian religion. I do not believe, Mr. Moderator and Members of this Court, that such serious responsibility rests upon the brethren of the Pittsburgh Presbyterv. In my judgment they have removed every ground of injustice and wrong, as it has been presented by the complainants, and that they have completely refuted all grounds or arguments which have been presented on that line, and I do hope, therefore, that this resolution will pass.

Rev. J. C. SMITH: It is necessary that there shall be some amendment. It has been stated that the case of Mr. McClurkin is not included in this. That is not true. We laid on the table a motion to take up Mr. McClurkin's case for the purpose of entertaining this substitute, and this substitute rules that out, and it will never come in again. So that this will dismiss all the complaints, Mr. McClurkin's as well as all the rest. Therefore we must modify this, "that this complaint of injustice and wrong be dismissed in the cases of H. W. Reed" and the others. Therefore, I move that that be inserted.

(Motion seconded.)

The MODERATOR: You move the insertion of the names?

Rev. J. C. SMITH: Yes, sir.

The MODERATOR: The motion is, that this be amended by inserting the names of the parties, including all except Mr. McClurkin.

(The motion was then put to vote and carried.)

Dr. J. C. K. MILLIGAN: I do not wish to detain the Court, but I want to say a very few words. When I understand that the carrying of this motion sustains the Presbytery and condemns the young men, so far as that is concerned, I cannot conscientiously vote for it because in my judgment the Presbytery did not conform in the trial with the prescription of Christ in regard to dealing with these young men. They did indeed have prayer, and call for statements from them. But, you will notice that behind them, and in their hand, was the whip of discipline; and so far as the record is concerned there was no effort made by the Court to bring these young men to repentance. I object to this motion again because in the carrying forward of the case there was certainly wrong on the part of Presbytery, in that the admissibility of the libel was decided upon without a single witness named in the libel, and without any confession verified and attested on the record. And the whole case, as it is before us to-day, shows that the case was not only admitted but decided without one particle of testimony, either in regard to Mr. McClurkin, or these young men. And I object still further that the relevancy of the libel was decided without allowing the young men to plead on the relevancy, as our law demands they shall; and that the relevancy of the libel was decided on the ground that the charge named in the libel, divisive courses, was relevant to censure, while our Book, and the law of Presbyterianism, decide that relevancy shall be determined by the specifications sustaining the charges. And then, still further, I condemn the action of Presbytery because in the procedure they convicted these brethren without one shadow of proof. On the records there is not one particle of proof presented. Whatever may have been before the Court, we are not to determine, but before us there is no evidence on which they were convicted. And then, still further, I oppose this motion because these brethren were suspended on that conviction that was unjust, after they had appealed and while they were in the process of carrying it up and bringing it forward to this Court; thus nullifying all justice and opposing the very law which Dr. McAllister himself read in this Court, that a suspension which has been passed is null if the appellants are in the process of carrying and admitting it before the superior court. And I do hold that if this Court sustain this proceeding of the lower court they not only do not save the Covenanter church, but they do injustice and wrong, they rend the church, they drive away these young men, they discourage other young men, they weaken the hands of the church in all its departments, and leave us trembling on the brink of ruin. I demand that this Court shall at least do justice, whether the

heavens stand or fall.

Rev. J. C. SMITH: The Presbytery is to be sustained in this matter, although there are informalities. In regard to the proof of the matter, I admit the record of the Presbytery was defective, very defective; but as to the proof of the matter it was before the Presbytery constantly, by the parties themselves. So that there was no ground for the Presbytery to do otherwise than to say that they were guilty of the matter of the East End Meeting. So that so far as that is concerned it was constantly admitted in their arguments through and through; and this Synod could only stultify itself by deciding otherwise. Now, the admissions and pleadings of a party are not certainly to be left out by any court at any stage. A party has his own case, and if he gives it away, that is his own fault. Another thing, in regard to the amount of censure and the manner in which it was carried out. I think there was some irregularity in this matter. I believe the Presbytery ought only to have suspended them until the final decision. Nothing less than that could be done because the Presbytery sustained the matter that pursuing divisive courses was relevant to censure, and then had decided that the charge was proved. Now, having decided these two things, that a certain thing was relevant to censure, if proved; then second, that that thing is proved, then their suspension was necessary. But, since they had appealed, I think they ought to have placed them only under suspension until the case could be finally issued. Or, I think it would have been better if they had offered a lower degree of censure; but when they appealed, they could not do that. That cut them off from applying a lower degree of censure because they had rendered that impossible. But the Presbytery could not allow these persons, for the five or six months intervening, to enjoy their

privileges. You could not do it with a single individual. It having been proved that they were guilty of a censurable offence, could they be allowed to come to the Lord's table? Much less could they be allowed to administer the sacrament of the Lord's supper when that had been proved. They must, therefore, necessarily have been put under disability until the matter shall be issued. But when they suspended them until repentance, I think that was going a little too far, and was informal to a certain extent. And yet it does not inflict injustice upon them, because it is in the power of Synod to prevent that censure from going beyond the meeting of Synod.

Mr. R. McAFEE: I am opposed to the motion now before us, for the following reasons: I believe that the Pittsburgh Presbytery had been guilty of injustice and wrong, and I believe that it is the province of this Synod to say so. I do it upon the following grounds: 1st. Because the Presbytery failed to deal with them as Christian men. 2nd. Because the Presbytery allowed themselves to be controlled by the Elders' Convention. 3rd. Because the Presbytery deceived them in the Judicial Committee by pretending to settle the whole matter, by giving them the right hand of fellowship after getting their statements from them, which they afterwards used against them. 4th. Because they framed a libel against them without any evidence but their own statement. 5th. Because they condemned them without sufficient evidence, and upon insufficient grounds. 6th. Because of the severity of the sentence imposed. Now, I want just to say a word or two on some of these matters, and I want to talk confidentially to this Synod, to the ministers and elders. I want to know if they ask a house of God to proceed upon the same principles that the Pittsburgh Presbytery proceeded on? Do any of us deal with our brothers in the same way when we find they have been guilty of some crime, or of holding some opinion which brings them in conflict with the principles of the church? I know it is not ours, nor ever has been. If any case occurs I know what the session does. It sends a committee, and it talks to these parties; it endeavors to convince them of their wrong, and to bring them to a sense of their duty. I am proceeding upon the supposition that these men were guilty of a crime. I do not believe it; however, I am arguing upon that ground. But I say that according to the statements of each and every brother who appeared before this Synod, every young man said, had that plan been adopted there would have been no trouble before this Synod. Every one of them said that; and I have been brought into contact with these young men considerably in this Synod, and I find every one of them was willing, had the proper means been brought upon them when this matter was first brought out, and they would have been brought in without any trouble. I say that on that ground Presbytery is guilty of injustice and wrong in not pursuing this course; and I say it is the province of this Synod to say so. It is a matter I hope it will conscientiously say, they did not proceed upon the proper Christian spirit in dealing with these cases. That is very evident to my mind. As I say, these young men deserve to be exonerated on that ground. I proceed, however, to my fourth point, that is, that they framed a libel against them without any evidence but their own statement; and it appears here that in one case there was not a statement to found their libel upon.

Now, i that is a proper proceeding for a court of the Lord's house, then I do not know what is. Proceed with a libel without any evidence! Why, I never heard of such a thing! It would not be permitted in a court of law. It would not stand for a moment there, and why should it stand in the chief court of God's house? I think this Synod should condemn any such attempt on the part of Presbytery, I do not care what their ministers and elders may be, or who they may be. And then, they condemned them without sufficient evidence, and upon insufficient grounds. That matter, I think,

is brought before us here. I do not see--

(Here the hammer fell.)

Rev. J. MILLIGAN WYLIE: I have a question or two I want to ask on behalf of myself and one or two other brethren. One is, What is the relation between the complaints and the appeals? If we should vote to not dismiss their complaint, what effect does that have on the appeal?

Rev. J. C. SMITH: None whatever.

Rev. J. MILLIGAN WYLIE: Then if the young men appealed because of irregularities in bringing in the evidence, if we understand this injustice and wrong not to have this deep meaning that would attach to it outside of this technical language, and if the Presbytery did not take into account their appeal from irregularities,-are we allowed to vote with such an understanding as that? Rev. D. S. FARIS: You can vote against the Presbytery in

this matter, and for them in the next, the Book says dis-

tinctly.

Rev. J. S. T. MILLIGAN: You can vote for them in this

and for them in the next.

Mr. D. TORRENS: I was going to say that aside from the injustice and wrong in the course of procedure it is strange to me that this Court should entertain for a moment the idea that there has not been wrong in the execution of the sentence after an appeal was taken. Reference has been made to authorities not in everybody's hands,—Moore's Digest, Hill's Practice, etc., -but we have books that we accept as authority, and while reference was made, and I think properly made, to the word "removal," as against continuing to inflict the sentence after an appeal. I did not hear anybody refer to another section of the same book in which, I think, it is more explicitly set forth. On page 70 it says: "Presbytery in case of ministers, and the session in every other case, is the competent authority to commence and finish a process for scandal, unless a reference or appeal be made to the superior judicatory." Now, that seems to my mind to be perfectly explicit. The Pittsburgh Presbytery not only commenced but they finished, as far as any court could go, and they suspended these men in the face of an appeal to this Court. Now, to mind, sir, that was not only contempt of this Court, carrying out that sentence after an appeal was taken, but it was a contempt of this Synod in trampling on this law, and for that reason, if for no other, it does seem to me that the action of that Presbytery in suspending these men should not be sustained.

Rev. D. H. COULTER: I rise simply to say that we have heard all this pro and con for days and days and days, and I am not getting any new light, and I do not believe a single vote will be changed. We are losing precious time here at the very preliminary. Let us have this thing voted on. I could talk on this matter for hours and hours, but I think I have more good sense.

The MODERATOR: There is just one of two ways in which we can have the question, as long as men claim the floor to speak. We can have the question by setting a time for it, or we can have it by moving the previous question. As long as men claim the floor to speak, those were the only two ways in which we can have it.

(Cries of "Question.")

Rev. Mr. JOHNSTON: I want to say something to this Court that has not been said yet. We have had this before us now for about fourteen days. Now, to my mind, the whole gist of this question settles on one point; that one point is just simply this: Can a man live in the Covenanter church and hold an opinion, and draw all his arguments from the standards of the church? That is the point in issue. That is the central point and prime factor in this whole question. Now, it may be admitted that there has been wrong done by the Presbytery. I say nothing at all about that, and I say nothing about whether it was right or wrong to issue the East End Platform. But my point is that, although a man has no right to argue against the standards of the church, a man has a right to live in the Covenanter church and to hold any opinion he pleases if he draws all his opinions from the standards. We had the Deacon question discussed in this church. Some said it was contrary to the standards, and every man drew his arguments from the standards, and no man was suspended. We had the Jury question discussed, on the same principle. Some again said it was destructive of the fundamental principles of the church, and every man drew his arguments from

the standards. Whe had the question discussed with regard to constitutional amendments, on the same principle, and every man drew his arguments from the standards. Indeed, there was not a man liable to be suspended. We have had the discussion of this point of the East End Platform. It is an opinion held by certain men, and to this day there has never been an argument made drawn from anything else than the standards of the church. If we did not libel men for views on the Jury question and on the Deacon question, you have no right to libel and suspend men for holding an opinion and arguing on that opinion, drawn from the standards of the church. They all stand or fall together, and it is too late to libel a man for an opinion.

Dr. T. P. STEVENSON: I rise to a point of order: This discussion ought not to travel beyond the bounds of this first resolution. I was exceedingly loath to interrupt the brother who has last spoken, but I make the point of order at this time in order that the matter which would be in place on the second resolution may not be introduced on the first.

The MODERATOR: The Moderator wishes to make a statement. The remarks do not bear on the motion before us. There is just one thing before us, and that is the dismissal of the complaints of injustice and wrong.

Rev. T. P. ROBB: I simply rise to move the previous

question.

Rev. Mr. CARLISLE: I for one want to know how far this complaint covers. If this complaint covers the severity of the sentence, I will vote one way; if this complaint does not cover the severity of the sentence I perhaps may vote another.

The MODERATOR: It has nothing to do with the sentence

at all.

Rev. Mr. CARLISLE: The motion simply has reference to the complaint of injustice and wrong.

Rev. J. S. T. MILLIGAN: It includes the severity of the

sentence as well as anything else.

Rev. D. S. FARIS: The question is shall we vote on the

question or discuss it longer.

The MODERATOR: The question is on calling the previous question. (The motion calling for the previous question was then put to a standing vote and declared carried.)

Dr. H. P. McCLURKIN: I will enter my dissent against this motion for the previous question at this time for reasons given.

Rev. J. F. CARSON: I call for the ayes and noes on the

adoption of the first resolution.

(A motion was made, and seconded and carried, to allow members one minute in which to explain their votes. The first resolution, as amended, was again read.) Mr. W. T. MILLER: I want in there the words, "and hereby is," and I make that motion.

The MODERATOR: No motions are in order.

Rev. J. R. J. MILLIGAN: I would like to ask how much of my complaint comes in under this

The MODERATOR: The clerk will call the roll. Rev. J. R. J. MILLIGAN: I am to have no answer? Dr. T. P. STEVENSON: I think that is a fair question.

The MODERATOR: Has the Moderator power to answer it?

Rev. J. R. J. MILLIGAN; If the Moderator has not the

authority to answer who has?

The MODERATOR; The Moderator made no reference to authority; but the question is simply the understanding of the motion and what it includes. The Court has to pass upon it,

and of course understands it.

Dr. T. P. STEVENSON: What is now before us, as I understand it, is this: we are voting on these points in so far as they charge Pittsburgh Presbytery with injustice and wrong, and with such measure of injustice and wrong as would call down the disapproval, or even the censure of this Synod upon the Presbytery.

Dr. R. B. CANNON; A question of order. The previous

question has prevailed and there can be no discussion.

The MODERATOR: It is simply an explanation. The explanation is in order. It is simply the meaning of the motion, and the motion can certainly be explained before we vote upon it.

Rev. J. R. J. MILLIGAN: I ask if that includes my complaint against injustice on account of being suspended after my appeal, and injustice on account of being convicted on a libel that has no testimony.

A MEMBER: The members of Pittsburg Presbytery have

been removed.

A MEMBER: I would like to have an explanation, and I insist on a explanation.

The MODERATOR: What do you want explained?

The MEMBER: What does this injustice and wrong include? Does it include everything that the young men have brought forth charging Pittsburgh Presbytery with injustice and wrong?

and wrong?

The MODERATOR: It simply includes this: Whether there has been such injustice and wrong on the part of Pittsburgh Presbytery as would call down the disapprobation of this Court, and the censure of this Court, upon Pittsburgh Presbytery.

Rev. J. F. CARSON: Does this then include the question of the suspension after the appeal had been taken? Or is that

covered by some other resolution?

Rev. J. S. T. MILLIGAN: Certainly it is included.

Rev. J. F. CARSON: Then the dismissal of the complaints would include — —

The MODERATOR: It includes the dismissal of the complaint on every ground which has been brought before this

Court.

Rev. D. S. FARIS: I believe we must have a division of this question. One thing is the wickedness of Pittsburgh Presbytery, and another thing is whether upon the whole their informality has been such as to hinder us from dismissing the case. There ought to be a division.

(The clerk then proceeded to call the roll, and during the voting the following members made remarks in explanation

of their votes.)

Rev. THOMAS ACHESON: As I have not been satisfied all through the trial with the way in which the evidence was secured against the young men for their condemnation in the Presbytery; and while I am not prepared to sustain every claim with regard to injustice and wrong, on the part of the young men. I think there is some ground for saying there

was injustice and wrong, and I vote "No."

Rev. J. M. ARMOUR: I would like to go on record as heartily commending the action of Pittsburgh Presbytery up to the part of their great breach of faith in failing to follow out and accept the basis of settlement agreed upon by the Judicial Committee. I would like to go upon record now and for all time as opposing the action of Pittsburgh Presbytery in the subsequent proceedings. Now, my difficulty is, if I vote "No." I shall be interpreted as disapproving of all that Pittsburgh Presbytery did. With this understanding I vote "No." that I do not approve of the action after that point.

"No," that I do not approve of the action after that point. Rev. J. O. BAYLES: Mr. Moderator, I desire to vote "Aye" in the spirit in which these resolutions are offered; but I cannot dismiss from my mind that this Presbytery did wrong in listening to newspapers reports and memorials against their brethren. In the second place, in galvanizing into life and magnifying the conviction; and in the third place. I feel that that Judicial Committee and Presbytery ought to have stood by that agreement. I am constrained to

vote "No."

Rev. J. A. BLACK: With the distinct understanding that this does not affect the severity of the sentence I vote "Aye."

Mr. D. BOYD: I have endeavored to look at this case from beginning to end as I think in an unprejudiced light, and I cannot see in their proceedings, all they have done, that there is sufficient ground to call down the censures of this Court upon Pittsburgh Presbytery. I therefore vote "Aye."

Rev. J. W. F. CARLISLE: I wish to be understood as opposed to the East End Platform. I believe Pittsburgh Presbytery had just rights to institute judicial proceedings; but because there has been too much hearsay testimony, leaving

misunderstanding, and the suspension, root and branch, I

vote "No."

Rev. J. F. CARSON: I vote "No" because there was injustice and wrong in the manner of securing evidence against these young men; second, There was injustice and wrong in Presbytery admitting the libel without it containing the names of any witnesses; third, Because there was injustice and wrong in suspending these men after they had taken an appeal to the superior judicature of the church. I therefore vote "No."

Rev. E. M. COLEMAN: There are many things in this trial on both sides that I cannot indorse, and since a single

vote cannot be divided in this case, I vote "Aye."

Rev. Mr. ELSEY: I can say and will say here that I have not been satisfied with the East End Meeting of the young men, and have never approved of it; but in all, the movements against the young men I have been displeased; I have felt that I could divide my own congregation acting in that way. I could tear down my work entirely, because of what I conceive to be the proceedings of Pittsburgh Presbytery against these young men. With no evidence of any following out of the benediction of our Master as peace makers, I must and do yote "No."

Rev. D. S. FARIS: I would not explain, except to answer the arguments given in explanation by the rest. I vote "Aye," first, Because the testimony, however informal is real; it came out at the beginning of the trial; it came out again in opposing the relevancy and was ruled out. It was informal but real. Second, Because relevancy being determined, suspension, (informal suspension) takes place immediately from that point onward until the trial is settled. The suspension, indeed, need be pronounced in no other way than by the Moderator stating what the law is. They would have been suspended without any motion. I vote "Aye."

Rev. J. M. FOSTER: I wish to go on record as being absolutely opposed to the East End Platform. I wish to go on record as being opposed to the holding of that Meeting. I am persuaded, however, that too much has been made out of it. To my mind a mole hill has been made into a mountain. I think the sentence was excessively severe. Upon that point

I vote "No."

Rev. Mr. FRENCH: I wish it distinctly understood that I take no part whatever in the East End Platform. I do not believe in any of its planks. I wish it understood that I believe the East End Platform was a mistake, and that the East End Meeting was a mistake. But in the face of so many misunderstandings on the part of Presbytery and on the part of the young men, I am constrained to vote "No."

Mr. HENDERSON: Mr. Moderator I have not said anything before this Synod up to this time, not being a public

speaker. But I just think these young men have done wrong, and I refer to the case of Ahab and Elijah. When Ahab met Elijah he asked this question: "Art thou he that troubleth Israel?" The old prophet said, "No, but you and your father's house, in that ye have departed from the commandment of God." I think these young men have broken the law of the church and followed a divisive course, and therefore I vote "Aye," believing that Presbytery had a right to proceed against them.

Rev. Mr. HOUSTON: I would like to vote "Aye," but I cannot. I am not in sympathy with the East End Meeting. I attended the Elders' Convention, and if I should vote "Aye" on this motion I would be in duty bound to libel the elders for that meeting which they held. I attended the Pittsburgh Presbytery at the meeting that suspended the five ministers and libeled the Rev. J. R. J. Milligan and Rev. A. W. Mc-Clurkin; and I have heard the trial in this Court, and I am conscious in my own mind that there has been injustice and wrong carried on by this Court, and I vote "No."

Rev. N. R. JOHNSTON: I would say that I hardly know how to vote. I think some of the appellants had some reasons to complain, one strong reason; but the preponderance is so largely in favor of Presbytery that I cannot vote in any other

way than "Aye."

Kev. S. D. JOHNSTON: We have accepted in this first article that there have informalities. Informalities or even irregularities, if they are severe enough are ground for complaint. One of the representatives of Pittsburgh Presbytery introduced an informality or irregularity, if you wish to call it such, upon the floor of Synod. We passed a motion of disapproval of his action. Therefore, I think there have been sufficient informalities and irregularities of such a character that there is ground for a complaint of injustice and wrong. I vote "No."

Mr. JOSEPH: Mr. Moderator, while I am not in sympathy, in every respect, with the adherents to the East End Platform, I think they have some cause for the charge of injustice and

wrong and I am constrained to vote "No."

Rev. JAMES KENNEDY: Mr. Moderator, I believe there were justifiable grounds for the Pittsburgh Presbytery to commence a process in the premises. I believe that. I believe, moreover, that the Presbytery did not intend any injustice or wrong, and if there was injustice, if there was wrong, it was unintentional. Yet, at the same time, in following the whole course of the trial here there were many things that I believe were not only irregular but they were unpresbyterian and oppressive; and I think they furnish a sufficient ground for the complaint, and therefore I vote "No."

Rev. Mr. LATIMER: I vote "Aye" for this reason: If we

can decide Pittsburgh Presbytery worthy of censure in this case because of informalities, then we will have to condemn the proceedings of almost every church court that ever takes

action in any case.

Mr. LOGÁN: It has been stated that some informalities appear. We all acknowledge that. They are serious informalities, as I view the case, and they have most seriously affected the decision. The charge that has been made by Pittsburgh Presbytery laying the whole thing upon these young men, I believe untrue, and I wish to place myself on record as voting emphatically "No."

Mr. McAFEE: I want to say in addition to what I have already said, that from my intercourse with the people of the two cities here. I believe it to be the unanimous belief of the parties connected with this trial, that the Pittsburgh Presbytery has been guilty of injustice and wrong. That is my own opinion, the opinion of members of the church with which I

am connected, and I vote "No."

Dr. H. P. McCLURKIN: I vote "No" because I believe Pittsburgh Presbytery violated the following Scriptures: "The man that is a heretic after the first and second admonition reject: knowing that he that is such is subverted and sinneth, being condemned himself." Also, this Scripture: "Against an elder receive not an accusation but before two or three wittnesses." Also, this Scripture: "Let everything be done decently and in order." And I believe there was a violation of Matthew 18: 15. I want to stand upon the whole law of the Lord Jesus.

Rev. THOMAS McFALL: There is a doubt in my mind, from the speech of Rev. J. R. J. Milligan whether or not an organization was formed. With this exception I vote "Aye."

Rev. D. McKEE: I vote "Aye" for the reason that I have examined this from the commencement. I regard the Presbytery as having sufficient ground for commencing process. They would have been negligent in the performance of their duty if they had not commenced this process. It appears they admitted the fact, at least a number of them, (of course I do not refer to the exception,) in the presence of the Court. I think Presbytery exercised a great deal of wisdom and a great deal of compassion in the manner in which they conducted the trial. In regard to the severity of the sentence, it is an admitted fact that the moment the libel was served upon them they were suspended. I speak now on the authority of Prof. Willson and Dr. Wylie. The question was raised in our own Presbytery in Philadelphia, and such was their decision, that the moment the libel is served the party is suspended; he is laid under disability until that libel is settled; hence the suspending afterwards was only carrying out — —

(Here the hammer fell.) Rev. Mr. McFARLAND: After all the evidence that I have heard brought forward by the Pittsburgh Presbytery to prove their case against these young ministers, and when I take this and place it alongside of what I know of the principles and practice of the Covenanter church,—the old Covevanter church, both in this country and in the old country,—there is no cause of complaint of injustice and wrong having been done. And whilst it is claimed that this trial, brought on by the Pittsburgh Presbytery, and their action in the matter, has been a cause of dissension in the church, and has brought great trouble into the church, and it might be said our vote is to help carry that out to the bitter end, yet, I believe we are in duty bound to give the church the vote we think is right, and so I most emphatically vote, "Aye."

Rev. J. S. T. MILLIGAN: I wish to say that I vote "No" in direct opposition to the law presented by brother McKee; that while that was the old rule, in the adoption of the new rule there could be no suspension until an ultimate decision was reached, except a precautionary suspension, which must be in form, the parties retaining their relation to the church. If the circumstances were so aggravated they could be put

under a formal precautionary suspension.

Rev. R. C. MONTGOMERY: I understood Presbytery had only one basis of agreement. I understood also that that basis of agreement was the basis presented by the Judical Committe amended, and that made the resolutions presented by a member of the Court, or, at least, was the natural result of those resolutions. And I understood that J. R. J. Milligan was not present at that Meeting. I would vote "Aye" with the exception of J. R. J. Milligan.

Rev. JAMES PATTON: Presbytery had been guilty of some informalities, but I feel that there has been sufficient grounds for proceeding against these young men to justify me

in voting "Aye."

Rev. THOMAS PATTON: I vote "Aye" because I am convinced that the Pittsburgh Presbytery were very lenient before

they resorted to more severe measures.

Rev. E. M. SMITH: Mr. Moderator, I do not wish to vote on any of these questions. I have concluded I ought not to remain any longer in our church, as I have not the conviction I believe her ministers ought to have, and I intend to resign my place on next Sabbath.

Rev. J. C. SMITH: I vote "Aye," nothwithstanding the fact that I think the Pittsburgh Presbytery should not have suspended until repentance, but only temporarily; inasmuch as it does not necessarily work injustice to them, I vote

"Aye."

Rev. J. A. SPEER: My verdict is based upon the evidence

before this Court and I vote "No."

Rev. R. M. SOMMERVILLE: As it seems to me there was not unfrequently during the course of the trial, harshness in

dealing with these suspended brethren, but evidently no intention of doing them injustice and wrong, and on the distinct understanding that the resolution refers only to the method of Presbytery's procedure, but does not touch the severity of

the sentence, I vote "Aye."

Rev. W. J. SPROULL: I am opposed to the East End Platform, I desire that to be distinctly understood; but there are grave doubts in my mind whether there was not injustice and wrong in the procedure of Pittsburgh Presbytery, and since this vote includes everything, the sentence of suspension as well as the procedure previous to the suspension, I give the young men the benefit of the doubt and vote "No."

Dr. T. P. STEVENSON: I vote "Aye," because the errors in the process of the trial, whatever they were, are correctly described as informalities. The charges of deception and breach of faith have been triumphantly disproved, and the injunction in Matthew XVIII was fulfilled in the work of Presbytery in the meeting on October 15th, and in the labors of

the Judicial Committee. I vote "Aye."

Dr. C. D. TRUMBULL: I want to say, I vote "Aye," in the first place because the East End Platform was revolutionary in its character; in the second place, it has never been disavowed, and was before Presbytery, as we have reason to believe, in Synod, and has been owned and acknowledged by these men, and on these principles I feel constrained to vote "Aye," believing there was no intention of injustice and wrong.

Mr. JAMES WARNOCK: I wish to say that the matter on which we have to decide is what is brought before this Court, and when all is divested of personalities and personal explanations, there is but a very small case before us. The young men who presented their reasons for appeal and complaint did that which was right, and the Presbytery to my mind did

not. I therefore most heartily vote "No."

Rev. J. MILLIGAN WYLIE: I think it is hardly fair to require us to vote, since the question is not divided as Brother Faris would have it divided. I do believe there were irregularities in this matter, but since these have been explained to me, the censure that enters into the merits of the case, and in as much as it was manifest there were efforts at reconciliation, and that this reconciliation was not effected by reason of lack of confidence in brethren, for which I do not think Pittsburgh Presbytery was any more to blame than themselves, therefore, taking the whole merits of the case before me, I am constrained to vote "Aye."

Rev. T. A. H. WYLIE: In my vote I wish it distinctly understood that I do not impugn the motives of those who acted in this case. I refuse to do that. I accept their statement that they had a sincere and strong desire to settle the whole matter, although on some occasions they manifested

that desire in a very strange way. But, I refuse to recognize these as mere informalities. I think the testimony that was taken, when it has been heard here that there was no testimony against these young men, was wrong. Therefore I vote

.. No."

Rev. P. H. WYLIE: I will have to vote "No" on this question because, whilst I disapprove of the East End Meeting and its Platform, yet I think there should have been a reconciliation accepted by Presbytery on the ground of the Committee's action. And then, I think, after they were found guilty, the suspension was too severe.

The MODERATOR: The vote stands Ayes 96, Noes 37.

The motion is carried.

Rev. JOHN TEAS: I rise to a question of privilege. I do not feel, after the action taken here to-day, that I can conscientiously remain in this church, and I wish to ask this Court to instruct my Presbytery to give me a letter of standing. I might give a number of reasons for this. I think it is better not to do so. I hope the Court will take this action and furnish me a letter of standing.

Rev. D. S. FARIS: I move this matter be referred to the

Kansas Presbytery.

(Motion seconded and carried.)

(The clerk read the second item as follows:)

"Resolved, that the Revs. H. W. Reed, W. L. C. Samson, J. R. J. Milligan, O. B. Milligan and E. M. Milligan, having fully and distinctly avowed their presence at the East End Meeting, and their responsibility for its published Platform, thus putting the facts of the case beyond question, their appeals be dismissed."

Rev. D. S. FARIS: I move that this be adopted.

(Motion seconded.)

Mr. W. T. MILLER: I move as an amendment, in place of the word "Resolve" it read "It is further ordered."

(Motion seconded.)

Rev. D. S. FARIS: Let it begin the same as the other, "The Court finds."

Mr. W. T. MILLER: I will accept that.

Dr. R. B. CANNON: The members of the Court get up and address the Moderator, and look towards him, and do not address the Court. The Court is the body they are addressing, and there is so much noise we cannot hear.

The MODERATOR: The persons in the room will please

keep order. The clerk will read the item again.

(The clerk read the item, with the amendments. The Moderator then put the amendment to vote and declared it carried.)

The MODERATOR: The question is now on the whole proposition. The clerk will read the paper as amended.

The CLERK reads: "Second. The Court also finds that

Revs. H. W. Reed, W. L. C. Samson, J. R. J. Milligan, E. M. Milligan and O. B. Milligan, having fully and distinctly avowed their presence at the East End Meeting, and their responsibility for its published Platform, thus putting the facts of the case beyond question, their appeals be dismissed."

Rev. D. S. FARIS: There is something ungrammatical there.

The CLERK: "Therefore we dismiss."

Rev. J. C. SMITH: The words that Mr. Miller introduced into the other ought to be introduced here, "It is therefore ordered."

The MODERATOR: If there is no objection the words may

be inserted by consent.

Dr. JAMES KENNEDY: There was an additional clause

or two.

The MODERATOR: The rest belongs to what comes after. Mr. W. T. MILLER: It is improperly printed in the paper,

it does not belong there.

Dr. R. B. CANNON: It seems to me just to adopt that as it is is in some respects rather severe. It leaves the question so that it comes down on the young men probably in a way we do not intend. The latter part of this——

Rev. J. McCRACKEN: I want to explain. That is refer-

red to in the last part.

Dr. R. B. CANNON: That does not change my mind a

particle.

The MODERATOR: Dr. Cannon will state his objection. Dr. R. B. CANNON: It is here, "As the sentence has been severely felt by the parties who have lain under it for a period of five months," and it goes on to resolve that their suspension be now removed.

The MODERATOR: That is no part of the motion before

you.

Dr. R. B. CANNON: No, sir. We have the dismissal of their case before us.

The MODERATOR: That is not before the Court now. The question is simply on the proposition which was read.

(By request the second item was again read. Five persons, the requisite number, called for the Ayes and Noes on the motion, whereupon the Moderator directed the clerk to call the roll.)

The MODERATOR: Pittsburgh Presbytery has a right to

vote on this motion.

(During the calling of the roll the following persons, in giving their votes, made these explanations:)

Rev. THOMAS ACHESON: Does the same rule apply in this vote as in the other as to explanations?

The MODERATOR: Yes, sir.

Rev. THOMAS ACHESON: As I said before, I believe

there was some injustice and wrong in the act of Presbytery. I did not approve of all the complaints that were made. I favor this resolution and vote "Aye."

Rev. N. R. JOHNSTON: There was no vote to allow ex-

planations here.

The MODERATOR: The Moderator ruled that explanations would be in order unless the Court would otherwise direct.

Rev. J. O. BAYLES: Had Presbytery disapproved of the Platform, and called the young men to account for it, I would have been with the Presbytery; but, considering the state of the church, the feeling of these young men, their statements in the Judicial Committee, I feel that the charge of a heinous sin and scandal is too strong. For that reason I vote: No."

Rev. J. A. BLACK: With the same understanding as I

had in giving my last vote, I vote "Aye."

Rev. Mr. CARLISLE: To express my personal disapproval of the East End Meeting and the publishing of the Platform,

I am constrained on this resolution to vote "Aye."

Rev. J. F. CARSON: In view of the vote we have just had in Synod, and in view of the fact that I am going to leave the Reformed Presbyterian church as soon as your present libel is settled, I will not vote on this appeal, nor vote again in this

Synod.

Rev. J. C. K. FARIS: I yote "Aye," among other reasons for this one: "The man that is a heretic after the first and second admonition reject; knowing that he that is such, is subverted and sinneth, being condemned himself." These gentlemen have been admonished by the last Synod, and by previous Synods, so that they have been particularly admonished once or twice, and this command says they should be "rejected."

Rev. J. M. FOSTER: I still protest against the severity of the sentence. I vote "Aye" as a protest against the East End

Meeting.

Rev. W. P. JOHNSTON: There are personal reasons why

I do not wish to vote.

Dr. JAMES KENNEDY: The question in this clause being altogether different from what was in the former clause, the matter of their presence at a certain Meeting being unquestioned. I think that there is every ground for answering that affirmatively. Therefore I vote "Aye."

Rev. W. R. LAIRD: Mr. Moderator. I feel that it is scarcely proper for me to vote, not having heard the arguments. Shall

I be excused by a vote of Synod?

Rev. D. C. MARTIN: Mr. Laird was absent on account of sickness during a good deal of the time; I think he should be excused.

(By consent Mr. Laird was excused from voting.)

Dr. R. J. GEORGE: If you will allow me, as a question of

privilege, I would desire to recall my vote, because of having acted in defence of Pittsburgh Presbytery. It did not occur to me when the Presbytery was restored that I was still under that disability, and I would ask you to allow me to recall the vote; the reason, however, to go in the Minutes.

Dr. McALLISTER: I just wish to have the matter understood, that when Brother George cast his vote he did not think of that, and I told him I could not vote on account of representing Presbytery, and he said he thought it would be better if we would both put ourselves on that ground.

Rev. D. S. FARIS: I think they have no right to vote ac-

cording to the Book.

Dr. R. J. GEORGE: It was an oversight of mine.

Mr. LOGAN: You are beginning now to have the church feel the effect of the suspense of the last five or six months. I wish to say here, that so far as I am concerned (I only speak for myself) I wish to vote "No" from beginning to end against the action of Presbytery, because I lay it right at their

door as to this distress to our Covenanter Zion.

Mr. McAFEE: I want to say, Mr. Moderator, I represent on the floor of this Synod a congregation that contributes largely to the schemes of the church. I want to say that they have contributed more than one-tenth of what was given this year for the foreign missions. I want to say, also, that in regard to the other schemes of the church they have also done their share. And I want to say that they feel that injustice and wrong has been perpetrated upon these young men, and it is the feeling of our congregation, and I come instructed to tell this Synod so, that no man shall be brought up for an opinion not contrary to the standards of our church. I want to say right here that I cannot answer for what that congregation will do. They desire that I should bring before the Court their motives. They have been impugned before this Synod by one of the men who represented Pittsburgh Presbytery, and I had no opportunity of replying to it at all. And I want to say I do not know what that congregation will do under this-

The MODERATOR: State your reasons for your vote.

Mr. McAFEE: I vote "No."

Dr. H. P. Mcclurkin: I want to say. Mr. Moderator, I vote "No" because in my judgment the action of this Presbytery was irregular from first to last. In their defence of their action in the Pastoral Letter they say they heard the Lord's voice in the form of judgment, and we are commanded to hear the Lord, and Him whom He hath appointed. They give the causes in that letter of God's wrath, and they mention two causes: The first cause is, certain congregations have neglected discipline; and the second cause, a good many in the Reformed Presbyterian church have not supported National Reform. These are the causes of God's wrath that has gone

forth against us, exercised by that Presbytery in judgment. And this is the way to remove the cause of God's wrath against us! If so, then I do not know anything about wisdom and judgment.

Rev. J. M. McELHENNY: I vote "No" for the reason: I would rather stand with the Lord than the Reformed Presby-

terian church.

Rev. R. C. REED: I do not believe that there is anything in the East End Platform that is necessarily contrary to the principles of our church, but because of the construction that has been put upon that Platform, and which seems to have been accepted, I vote "Aye."

Mr. D. M. SLOANE: I do not think there is anything in that Platform that is contrary to the law and order of our church. I also think our congregation has been badly dealt

with. I therefore vote "No."

Rev. J. A. SPEER: In view of all the facts before this Court I am firmly of the conviction that the degree of censure

was excessive, and therefore I vote "No."

Dr. J. W. SPROULL: Is the second plank of the East End Platform opposed to and subversive of our position of political dissent? I listened with a great deal of attention to Mr. Reed. and I regret that he did not state at the meeting of the Judicial Committee what he stated on the floor of Synod. But, taking everything into consideration, weighing as calmly and carefully as I could everything that has been said, I am compelled to answer that in my opinion it is. Second: Did these brethren give their approval of it, and have we the evidence they did? I am compelled to say that in my opinion they did. For these reasons I vote "Aye,"

Mr. STRANAHAN: In the first place that East End Meeting was out of place and out of order. In the second place the Elders' Convention was out of place and out of order. If it had not been for that convention we would not have had the trouble to-day we have in the church. In the next place, the Judicial Committee made an agreement with these young men, and that agreement was broken by the evidence before this Court, as far as I could understand the evidence. For

this reason I vote "No."

Rev. J. R. THOMPSON: I vote "No" for the following reasons: In the first place the action of Pittsburgh Presbytery was illegal; they did not furnish us any written testimony on which to base a judgment that would convict these young men. There is not a word of testimony, signed by the witness, in this Court. In the second place, because the sentence was unjust and severe, suspending the young men after they had appealed to Synod. In the third place, the votes of this Synod do not represent the votes of the people, and you will hear from the people before long. (Loud and prolonged applause.)

Dr. McALLISTER: I claim to be heard as the pastor of this church. I simply declare that this is outrageous, after attention has been called to it so often. It is in character with the bluster that has marked all along the course of these proceedings. That outbreak is something concerning which due warning was given that it would not be tolerated here; and if there is any repetition of it, measures will have to be taken to see that it is suppressed.

The MODERATOR: And if any members repeat the reasons given by Mr. Thompson they will be called to order;

that is, I refer to the last reason he gave.

Mr. WARNOCK: I wish to vote "No" for this reason. The congregation I represent is not divided. 157 members signed this petition that is on your table. It reads as follows:

The MODERATOR: That is out of order.

Mr. WARNOCK: That has been read, Mr. Moderator.

The MODERATOR: It is not in order now.

Mr. WARNOCK: I give this as my reason why I vote "No."

The MODERATOR: It is out of order. You may state

your reasons but that is not in order.

- Prof. D. B. WLLSON: Mr. Moderator, I was one of the prosecutors of this case in Pittsburgh Presbytery by appointment and not by choice. I refrained from voting throughout the proceedings as a prosecutor, and this is now my first decisive vote. I was grieved at the result in Presbytery when it had to come; and I wish to say now, that I have the kindest feelings for these young men; and still, with personal friendship for them, I vote "Aye."
- Rev. J. RENWICK WYLIE: I understand this vote includes two things, to dismiss their appeal from the finding of the sentence, and also their appeal from the execution of the sentence until after the meeting of Synod. While I believe that our Presbyteries could do nothing else but find these young men guilty, I have my doubts whether they have the right to immediately inflict the penalty until the meeting of this Synod. For this reason I decline to vote.
- Rev. T. A. H. WYLIE: I feel that in giving my vote I must also give a testimony to my admiration of the Christian character of the members of the Reformed Presbyterian church, and my love for the church. But I vote "No."
- Rev. P. H. WYLE: I vote "Aye" on this question on the ground I have already stated, that I disapprove of the East End Meeting and its Platform.

The MODERATOR: The vote stands, ayes 129, noes 26.

Rev. D. S. FARIS: Is this the place to assign reasons for our vote, or should we wait until the next case is decided before we assign reasons.

The MODERATOR: Reasons were assigned in voting.

Rev. D. S. FARIS: I mean the reasons of the Court. This is the time?

The MODERATOR: Yes, sir; this is the time.

Rev. D. S. FARIS: I move then the following reasons as the reasons of the Court for the vote that has been taken. The reasons for the above decision are: 1. The holding of such a meeting as that at East End is wrong and contrary to the unity of the church, and without due regard to the authority of Syned. 2. The Platform itself is, in various parts, contrary to the principles and practice of the Reformed Presbyterian church. 3. The propagation of said Platform is divisive and destructive of true Christian liberty.

(Motion seconded.)

Dr. R. B, CANNON: Have we not substantially the same thing in the resolutions yet to follow? I think in the resolutions on the table there are specifications of the articles in the East End Platform, with a condemnation of them. I think that meets the case Brother Fari- brought up.

Dr. T. P. STEVENSON: I move that this lie on the table until we take up the resolutions that are before us in this

paper. (Motion seconded.)

Rev. E. M. MILLIGAN: In view of the finding of this Court sustaining the sentence of Pittsburgh Presbytery, which declares me guilty of the heinous sin and scandal of pursuing a divisive course, in my own name and in the name of Rev. O. B. Milligan, I appeal from the decision of this Court to the bar of an enlightened Christian conscience, and place myself on trial in the Monongahela Presbytery of the

United Presbyterian church.

Rev. J. R. J. MILLIGAN: In view of the fact that this Court has sustained Pittsburgh Presbytery and found me guilty of following divisive courses, on a libel which did not contain a single particle of evidence or testimony; in view of the fact that I have been suspended from the ministry and privileges of the Reformed Presbyterian church, after my appeal had been taken, I hereby and now appeal to Jesus Christ, the King and Head of the church, at Whose bar we will stand together, from Whose lips there shall come the decision from which there is no appeal; I appeal to the Christian world, before which I will stand to receive their sentence and be admitted to another denomination, and withdraw from this church. I ask that there be given to me a transcript of the Minutes of this Synod in reference to my case. And here and now I declare to you that there are memories which are never to be forgotten; there are associations which are very strong; there is a relation between me and the people as pastor that is most dear and precious, but these are now broken, and I must say "Farewell."

Rev. E. M. MILLIGAN: May I also ask that a letter and

transcript be given to me?

Rev. H. W. REED: I wish hereby to enter my protest against the action of Synod dismissing our appeals, and to enter my appeal, first, to the Head of the church, the Lord Jesus Christ, before Whom we all will stand; and, second, to enter my appeal to the whole body of Christ, the Christian church, to whom we now go, and before whom we will plead our case. And I join with the others in asking from this Synod a transcript of the Minutes of our case, and a letter of our standing in the church, that I may be able to enter some one of the other Christian bodies.

Rev. W. L. C. SAMSON: With Rev. J. R. J. Milligan's permission I would unite with him in his request. But before I bid farewell to the church in which I was born, the church to which I hoped to devote what little energy I had, I wish to thank you for the kind respect you have shown me in hearing my appeal, and I assure you that I shall leave this church with love in my heart, and wish that God's blessing, if it is His will, may be with her in the work that she may do.

Rev. J. C. K. MILLIGAN: In my own name, and in the name of any who wish to join with me, I give notice of the

fact of a dissent which shall be given in.

Mr. WARNOCK: I wish to dissent also from the action of

this Synod.

Dr. JAMES KENNEDY: It must be very distressing to us all to have these statements by our young brethren. At the same time I want to say that these resolutions were drawn up as an ironical kind of peace making. Now, would it not have been better for these brethren to have waited till we come to the following resolutions where there is provision made for their restoration, and for removing the suspension. I hope, therefore, our young friends will re-consider the matter, and will withdraw, perhaps, some of the statements that they have made, and let us go on with this peace making, and see if we cannot all gradually get together gain. It would be a very, very sad thing if we cannot all live together in the church we all have lived in from our infancy.

The MODERATOR directed the clerk to read the next item of the paper, whereupon he read as follows; "As the conduct of this trial has brought to view misunderstandings, arising largely from want of confidence between the parties, which misunderstandings have unhappily complicated the case—

Rev. J. C. K. MILLIGAN: Is not the case of Rev. A. W.

McClurkin before the Court at this time?

The MODERATOR: The point is well taken. Proceed with the reading of the article with reference to A. W. Mc-Clurkin.

The CLERK read as follows: "Whereas, Rev. A. W. Mc-Clurkin has denied in this Court that he ever made any acknowledgment of responsibility for the East End Platform, and Pittsburgh Presbytery furnished no record of such statement, and that Rev. E. M. Milligan had declared on the floor of the Synod that A. W. McClurkin had no part in the making of the Platform, Resolved, that this complaint be sustained and his case dismissed."

Rev. D. S. FARIS: I want to get before this Court now exactly how Mr. McClurkin's case stands. I think his case is a case of declinature. Perhaps a complaint was made, but it is the declinature that we have to deal with at the present time, and I would like to have his declinature and the reasons of it read, so that we can see how to proceed.

Dr. McALLISTER: That is just what I was about to insist upon, as representing the Presbytery.

(The clerk then read the declinature of A. W. McClurkin,

with the reasons for same.)

Dr. McALLISTER: Now, Mr. Moderator, due notice was given to Mr. McClurkin at the time that he notified the Presbytery he was about to enter his declinature as to the law of the church upon this point. And let me bring the points of law before this Synod. On page 84 we have the matter—

Rev. D. S. FARIS: Perhaps the first thing would be to

hear him on his declinature.

Dr. McALLISTER: It is simply to get the matter before us, and to show that the complaint cannot come in.

Rev. J. R. THOMPSON; I do not understand that the matter of the declinature came in. He spoke of nothing but his complaint. Was there any evidence he was suspended because he declined?

Dr. McALLISTER: It was not because he declined.

Rev. J. R. THOMPSON: The action of Presbytery was based not on a declinature, but on his attending the East End Meeting.

Dr. McALLISTER: That does not make a particle of difference. What I wish to bring before the Court is this: When he took out his declinature he was notified that that would bring him before this Court on that declinature. This point was made when we were taking up these proceedings, but it was waived by the Pittsburgh Presbytery, simply that we might have all the matters before us at that stage, but it was stated that, when we would come to take the vote, we would insist upon having the vote according to what would be the law and order of the church. In the hearing of the matter all formalities were waived. Now, if the law and order of the church had been carried out, Mr. McClurkin could not have been heard on the complaint at all. The only thing on which he could have been heard would have been on his declinature.

(On motion of Mr. Crowe the Court took a recess until two o'clock.)

AFTERNOON SESSION.

WEDNESDAY, JUNE 10, 1891.

The MODERATOR: The Court is now ready to proceed with the matter before it at the time of taking recess. Dr. McAllister has the floor.

Dr. McALLISTER; I would simply call attention to the fact that Mr. McClurkin presented his declinature to Presbytery, and his attention was called to the result of this. I was about to read from the 84th page of our Book of Discipline, which treats of declinature, in order to bring the attention of this Court to what was brought to his attention. When he took his declinature he was told he would have to stand upon that declinature; that declinature could not be given in verbally, but must be given in in writing. He accordingly gave his declinature with his written reasons, and this declinature must now come before this Court, if we proceed according to our own law and order He was heard informally and irregularly in order that there might be nothing whatever kept back. The Presbytery made no objection to hearing him, although it was certainly against his declinature; but it was with the understanding that when it came to the action we must proceed by the Book. Now, in order that we may have it before us in due form, I move the declinature of A. W. McClurkin be taken up for consideration.

Dr. T. P. STEVENSON: I wish to raise this question: This Court having waived that matter, and the representatives of Presbytery having waived the objection, and having heard Mr. McClurkin already upon his complaint, is it in order now to go back and set aside the complaint and act upon the declinature? It seems to me, having waived this matter before, and having heard Mr. McClurkin upon his complaint, we are under obligation to issue that complaint.

Dr. Mcallister: Mr. Moderator, the Presbytery did not waive it; it waived the point with regard to hearing him, but it did not waive the point that when we came to act we should insist then that the dcclinature as such should be taken up. The Court will notice that the reasons that are given in the complaint are the same reasons that are given in the declinature, but the declinature is that upon which this Court must act if we are to proceed according to law. The declinature is the only thing this Court can act upon legally, and it is this point the Presbytery insists upon.

Dr. GEORGE: I wish to say in addition to what Dr. Mc-Allister has said, that this question was raised at the time and we understood that it was presented to the Court in that form, that it was simply with reference to hearing brother Mc-Clurkin's complaint, along with the other complaints that the whole subject might be before the Court before it should

act on any part of it; that it was stipulated we should follow our own book when it came to the decision of the cases.

Rev. J. R. THOMPSON: This question was up the other day. I state the law and the practice of the church. The appellant is to bring all papers up to the higher court; if he does not bring all the papers the matter goes by default. It seems that he has laid his declinature on the table of Synod, or at least the Presbytery has laid his declinature on the table of Synod. It has no right to be there, because Mr. McClurkin did rot bring it up as one of his papers. He merely brought up, the complaint. Presbytery had nothing to do with bringidg up papers to the higher Court. If the party does not bring up the papers the case falls through. Now we have nothing to do in this case but take up the complaint of Mr. McClurkin. I asked him a few moments ago if he had brought up the declinature, and he said he did not.

Dr. McALLISTER: It is a strange thing that one who professes to be so well versed in church law should make a

statement like that.

Rev. J. R. THOMPSON: I will stand by it.

Dr. McALLISTER: Now the question is, Whenever any one makes a complaint or appeal or puts in a declinature, what is the official document? Is it the document which the appellant retains in his own hand? By no means. Is it the complaint which he retains in his own hands? Why, not for a moment. It is the copy of the declinature, which he keeps in his own hands? Not at all. Such a document cannot bear the transference of the Court. The very idea of our Book in having the paper transferred is that the appelant or complainant, or the one who declines, the authority of the Court, shall put in the document in the inferior Court that that Court may see it and know what it is and see that it is in due form. put their official transference on it, and that document which is transferred by the inferior Court comes before the Superior Court, and the copy which the appellant himself may have has no official character whatever. The paper in every case comes by the action of the inferior Court, which gives the official transference to it and thus brings it to the Superior Court.

Rev. J. R. THOMPSON: With all due respect to Dr. Mc-Allister I have never heard of an appeal being transferred. Dr. McAllister takes the position that an appeal must be transferred by the lower Court. That is the first time I ever heard in any Court that an appeal was to be transferred. If a private member comes up with a paper to Synod he must take it before the Presbytery; but an appeal goes up directly to the higher Court without a transfer. So that matter was settled the other day, and I am surprised that Dr. McAllister should bring it up again. And the reason I raised this point was, a young man, Mr. Burnett came before the Pittsburgh

Presbytery the other night, and Dr. McAllister, as Moderator, stated his appeal must be transferred. He made that statement to me when I came home. I stated, there was no need of any transference; it comes up directly without any transference. It was the first time I ever heard of it. Now, again, Dr. McAllister says, we must take up that paper because Presbytery has laid it on the table of Synod. Suppose Mr. McClurkin had not brought up the complaint at all, or any paper, would we have taken it up and passed on it? No. He may have changed his mind, he may have withdrawn it, he may have allowed it to go by default. He did let the declinature go by default. It is dead. It has no right to be here. But he took up the complaint, and the complaint is before the Court. And I will appeal to the judgment of any Presbyterian, any man who understands church law, or civil law, if that position is not correct, and if Dr. McAllister's position is not wrong.

Prof. D. B. WILLSON: I wish to make remarks upon two points. The first thing is, if a person does not prosecute, it goes by default against them. Mark that,—it goes by default

against them.

Rev. J. R. THOMPSON: Certainly it does.

Prof. WILLSON: Now, I wish to bring before the Court how improper it would be not to bring up this matter of the declinature first: It was after the declinature that my brother was duly warned by the Moderator what the effect of a declinature was; I believe he read his from the Book; at least he clearly and distinctly told him that the effect of the declinature was that if the Presbytery issued the case without him, and his declinature was not sustained, that he would have no recourse by appeal, that he forfeited that right by his declinature. If you take up the complaint, look what you do? It is a matter of whether he was convicted on evidence or not. Suppose he had not declined the authority of Pittsburgh Presbytery and had gone to trial. The prosecution was called on to make certain statements in his absence. He had declined the authority of the Court and therefore did not reply at all. For my part I would have been glad to have heard all his evidence, all he had to say, then and there to set himself right with the Court. I, for my part wish to do no man injustice; and I do not believe Pittsburgh Presbytery wishes to do any man injustice. But the vital part is this: The declinature he put in took him off the floor, and he was not there to plead his own case, and therefore you have the strange dilemma of Pittsburgh Presbytery convicting a man on ex-parte evidence, and the party had gone away and was not there to plead his case. Now, you will take the alternative that his declinature not being pressed should go against him by default. If that is the case you would not have to try it, but just dismiss the case from your Court at once.

on the other hand, to take the complaint against us without taking up the declinature is unjust to Pittsburgh Presbytery, because it is a violation of proper procedure, of what is called

the res gestae.

Dr. McALLISTER: We have had so much substituting of what might be called lung power for reason and good sound argument that it is time this thing were brought to an end. Now, let me ask you to take your books and we will see exactly what the law of the church is. Page 81, paragraph 2: "An aggrieved party may protest against the whole or any part of the proceedings of the sentence of the judicatory, delivering such protest, with the reasons of it, to the judicatory which conducted the process, accompanied with an appeal to the next superior, of which protest and reasons a copy shall be presented to the judicatory to which the appeal is made."

Now we have the law laid down here. An aggrieved party enters his protest and appeal. He enters that to the judicatory which conducted the process. Now, what does the Book require? The person entering this presents a copy himself to the judicatory to which the appeal is made, but the paper which is the paper itself goes to the lower Court and it is nothing but a copy that he himself has after that. The reason of this is that a person might enter a complaint with certain reasons, and he might change that, he might put in different reasons. If the copy was to be the original docu-ment on which action was to be taken we would not know whether it was the same one at all or not. But, he puts what is the original paper into the hand of the inferior Court that conducted the process; that Court sends it to the Superior Court, certified as being the proper one; and then it can be tested whether the one which the appellant or the complainant has in his own hands is a true copy or not. You would not know whether it was a true copy unless you had an original certified copy which in the first place went into the hands of the inferior judicatory and by it was laid on the table of the superior judicatory. If he is not present when it is laid on the table to plead his appeal or declinature, the whole matter goes against him by default.

Rev. J. R. THOMPSON: That is right. Dr. McALLISTER: Yes; that is right.

Mr. ROSCOE: Are we or are we not considering the items in this resolutions brought forward by Mr. McCracken?

The MODERATOR: We have taken up one of them: Mr. ROSCOE: Under what item are we talking now.

The MODERATOR: The one that was moved before recess in regard to A. W. McClurkin.

Mr. ROSCOE: The declinature was not mentioned in those resolutions.

Rev. J. McCRACKEN: I supposed the declinature was

waived. I have this copy of all these complaints, and that speaks simply of the complaint of A. W. McClurkin. And that item was based on that complaint and not on the declinature.

Rev. J. S. T. MILLIGAN: I am satisfied it was waived, and hence he did not appear on behalf of the declinature but on behalf of the complaint, and that matter is now before us, not in a judicial form, but in the present form of this paper that is before us.

The MODERATOR: The original motion is to take up the

complaint.

Dr. McALLISTER: I offer as a substitute, that we take up the declinature, which will be the due form of law and order. (Motion seconded.)

Tue MODERATOR: We have allowed some discussion on

this matter for the sake of getting light.

Rev. J. C. SMITH: Let it be taken up and considered along

with the other.

Dr. McALLISTER: I am perfectly willing you shall take up the complaint, but we now have the declinature itself and we insist on going according to the law and order of the Book. We have waived quite enough and we wish to go by the law and order of the Book. We waived this in the consideration of the whole matter.

Rev. T. P. ROBB: Did not Synod waive that?

Dr. Mcallister: No, it was the Presbytery waived it.

We could have taken this declinature first.

Rev. J. S. T. MILLIGAN: I insist that by the action of Synod itself this paper be taken up and the ayes and noes called for. Of course, I do not know that it is going to amount to a great deal of difference, but it does seem we are taking up time and getting it to difficulty. The case has been substantially gone over, and now we will have to go over the declinature.

Rev. J. C. SMITH: Can we not take them up together.

in the MODERATOR: The motion is to lay the complaint on the table for the purpose of entertaining the substitute, which is to take up the declinature first.

(The motion was then put to viva voce vote and lost.)

Dr. McALLISTER: I will have to enter my dissent if the Court insits upon this, and put the Court upon record, for the simple reason that you are going against the law and order of the church.

Dr. T. P. STEVENSON: I would be very glad to take up

the declinature in connection with the complaint.

ELECTRICALLISTER: Let the complaint be considered by all means.

Dr. T. P., STEVENSON: I move that the declinature be taken up in connection with this complaint.

(Motion seconded and carried.)

Dr. Mcallister: I ask to withdraw my dissent.

(The clerk then read the item of the resolution referring to A. W. McClurkin; also the declinature.

Rev. J. C. SMITH: I move the word "dee inature" be inserted in the resolution, making it read, "that the declinature and complaint of A. W. McClurkin be sustained."

(Motion seconded.)

Rev. D. S. FARIS: I probably have not fully understood the effect of what this motion will be; but my understanding of it at present is, that when you sustain the declinature then we take up the case ourselves and give Mr. McClurkin an opportunity to prove his point before us and decide it upon further testimony.

Rev. T. P. STEVENSON: I think we ought to be very careful about sustaining a declinature. It is a grave step for any one to decline the authority of Presbytery. I am not prepared to vote according to the motion that has just been made. I do not know whether it was seconded or not?

The MODERATOR: It was seconded,

Dr. T. P. STEVENSON: I am not prepared to vote to sustain the act of the brother in declining the authority of Presbytery. I would be very willing to preface the motion that is in the paper by not sustaining the declinature, if that would still leave us free to adopt the remainder of the resolution.

Dr. McALLISTER: I think the motion made by Mr. Smith that now takes up the declinature and the complaint together is necessary. I think the declinature should be mentioned in this motion as well as the complaint, that is, simply the facts of the case; and I think that amendment ought to carry.

The MODERATOR: His motion if carried will sustain hoth the declinature and complaint,

Dr. T. P. STEVENSON: I move that it be without sustaining the reasons for the declinature.

The MODERATOR: That is an amendment to an amendment.

Rev. J. S. T. MILLIGAN: Does Dr. Stevenson understand that if he does not sustain the declinature that ends the case? The MODERATOR: His proposition is not to sustain the declinature.

Rev. J. S. T. MILLIGAN: My understanding is that ends

Dr. T. P. STEVENSON: We have not heard Mr. McClurkin urging his reasons for declinature.

Rev. D. S. FARIS: We haven't time to do that. I would say we have substantially heard him. If you will examine his reasons for complaint you will see they are just the same as for the declinature.

Rev. J. S. T. MILLIGAN: Now you have got it in a form

you can decapitate him without a hearing. The moment the

declinature is not sustained you end the case.

Dr. R. J. GEORGE: Perhaps what our brother has just said is true, that if his declinature be not sustained his complaint cannot be heard. I think that is true according to the Book. But I call the attention of the Court to this fact, that our brother, Mr. McClurkin, was informed of this effect of his declinature at the time he took it; the Moderator of Presbytery warned him that declining the authority of a Court of Christ's house, under whose care he was, had that effect; that if he failed to sustain his declinature in the Superior Court he would lose his standing, and he is not here in these circumstances, through ignorance, or through his inexperience, but by his own decision, made with the fact put before him, and I do not see that that can be presented as a reason why we should override the law of the church with reference to him, in order to give him an opportunity to be heard on a case, in which he himself, understanding the force of it, took a declinature. And then I wish to call the attention of the Court to the fact that the overriding of the law with reference to this point, and going on to this complaint, cuts the Presbytery off from its proper defence, because his course, declining the authority of the Court, interfered with the proper development of the case as it would have been had he appeared for his trial be ore the Court.

Prof. D. B. WILLSON: I wish to raise this point, and I think it is vital to this question: This brother having declined the authority of Pittsburgh Presbytery, for reasons given in a paper on the table of this Court, if he does not present that does it not go against him by default? I think it must be perfectly plain from the Book that the burden is on him to present it, and as he has not, we must reach the conclusion that no matter what you do with his complaint, the declinature has gone against him by default, according to our law, and the verdict of Pittsburgh Presbytery stands in his case:

Rev. J. S. T. MILLIGAN: I wish to say, I am satisfied that is the law, and now this procedure must either result in sustaining his declinature or the other alternative, that ends the business. Now, I presume the brother was under a misapprehension; that he thought he could let his declinature go by default, and come in on his complaint. I do think there ought to be a little tempering of judgment with mercy. I have been taught to believe that mercy might rejoice over judgment. But this course is the summa injuria lex.

Rev. J. C. McFEETERS: It has been said here if the declinature be not sustained that ends the case. I would like to be a little more clear on that point. Now, it has been stated here that Mr. McClurkin is willing to withdraw that declinature for some reason or other. Possibly he has changed his mind with regard to the action of Presbytery. Again,

if the declinature be not sustained, does that not place Mr. McClurkin back in his original position that Pittsburgh Presbytery has authority in this case and has proper jurisdiction over it? Does not that place Mr. McClurkin back where he was before he took out his declinature to have the case

come before you?

Mr. A. GILCHRIST: I am not quite clear as to what Mr. McClurkin understood about it, but I am very clear as to what the New York Presbytery gave me when I was there on a declinature, and the Rev. J. R. Thompson is the man who was that law. Now, I will give you the law just as I got it. I declined the authority of the session and went up to the other Court by declinature and appeal. And I was told, (and I did not need to be told, for the Book told me), that if I lost my case there I went back to the session and that session tried me and did what they pleased with me. If the Presbytery sustained me, then I was before the Presbytery to be tried and did not go back to the session. And Mr. Thompson was the man who said that I should go back to the session to be tried. He said: This case comes from the lower Court to the higher Court —

Rev. ISAIAH FARIS: I do not think this is in order.

Mr. A. GILCHRIST: I am quoting authority. Now, if the Presbytery had sustained me, or entertained the process, then I would have been tried by the Presbytery. But the authority of the church there said, that the cases should not come from Presbyteries and Sessions; that Presbytery should invariably send such cases back and let the session try such men when they brought them up, because if we did not do that, in taking cases out of sessions up to the higher Court we

would destroy the church order.

Rev. Mr. JOHNSTON: I do not think there is very much danger that this Court will be lax in the enforcement of the law. I do not think there is any danger of that at all, Now, if we are to err, as there is quite a difference of opinion here, had we not better err on the side of mercy? Had we not better give the benefit of any doubt in this case to this brother? There is an idea abroad (I do not say whether there is any foundation for it or not) that we are pretty strict in the way of discipline. I am quite desirous that there should be the enforcement of the law; but if we can in any way show a little mercy in this case I think we ought to do it. And if Mr. McClurkin is willing to withdraw his declinature let us have a vote.

The MODERATOR: There is a question or two of law here on which the Moderator has no right to make a decision. The law has been read and explained no doubt corectly; and the question for this Court to determine is whether they will waive the point and grant Mr. McClurkin the privilege of withrawing his declinature and go on with the hearing.

Rev. J. S. T. MILLIGAN: I move that he be allowed to withdraw his declinature.

Dr. McALLISTER; I wish to speak on that. I do not want any injustice done to Mr. McClurkin; nor do I want any injustice done to any Court. And this motion makes it necessary that I should bring the whole matter before this Court, so that so far as by any light I can possibly throw on it, they

shall do what is just and right.

Now, the case must come practically before you. Mr. Mc-Clurkin was duly libelled under a specific charge. Mr. Mc-Clurkin was the only person among all who at length, not at first, declined the authority of Presbytery. If he had taken this step at the outset a different course would have been taken from the very first. That is, if Mr. McClurkin at any time had said that this was an entire mistake, and he had testimony to prove that this was a mistake; or if he had said, these facts are not true, then the Court would immediately have adapted its proceedings to what would have been his statement of the case. But here are the facts in reference to this matter: As the Minutes show, there was no denial of the charge. We came up to a certain point, and then at length Mr. McClurkin came out distinctly and said, not "I deny the fact;" he did not say that. He did not for one moment say, "I deny that I was present at the East End Meeting:" nor did he say. "I deny having given approval to the East End Platform." But he said. "I deny that the Court has the evidence." That was the denial. Now then we were ready, right then and there, whenever Mr. McClurkin made that statement, to arrest the proceeding on that libel as it was, and to hear his testimony, if he wished to bring testimony, to prove that he did not say what the Minute records that he did. He said that he had persons there who would take their affidavit that he did not say what that Minute recorded he did say, and the way was open for him to bring such testimony. If such testimony had been brought, if there had been anything of this nature done, Pittsburgh Presbytery would either have dropped the libel altogether, or it would have issued proceedings anew. Nothing of this kind was done, so that Pittsburgh Presbytery could do nothing in the case when he declined the authority of it, and particularly at this point; for, bear this in mind, if the charges are sustained as relevant, the accused is to be interrogated as the matters of fact (See page 75 of Book of Discipline.) He was interrogated as to matters of fact, and he was in doubt himself, as you remember by the question which this brother (Rev. D. S. Faris) put to him, as to whether his declinature had then gone in or not.

Now, as we understood it. the relevancy was the matter that had been determined. The relevancy could not be argued for the reason that our Book says, that no man shall be heard in making a plea against his own profession, and he could not

have argued on this point without making this plea against his own profession. If he had done this without making a plea against his own profession, I do not think the Court would have shut him out. I do not think it had any disposition to shut anybody out, excepting in making a plea against the principles of the church, and that according to our Book could not be done in the discussion of the relevancy of the libel. Just at that point the declinature was taken, and the appellant who made this interlocutory appeal or declinature was informed, when he declined the authority of the Court, that he was taking a most important step, by the consequences of which he would have to abide. He was denying the competency of Pittsburgh Presbytery to go on and give a righteous judgment in the case. The Pittsburgh Presbytery was ready to hear his testimony, and if he had stated, "Here is a witness," naming the witness. "And I ask this witness to be sworn," that witness would have been sworn then and there to give his testimony. Nothing of that kind was done. So that whe the authority of Pittsburgh Presbytery was thus declined, what could the Presbytery do? Our Book says: "Such declinature does not necessarily arrest the process before the inferior judicatory." According to that we went on with the testimony we had; and the testimony that is submitted was, in the first place, that Mr. McClurkin's name was included with the rest in the official Minutes of Presbytery which say that he had attempted a defence. The members of Pittsburgh Presbytery believe that to the present day. They may be mistaken. I am not going to say they are infallible; but they believe to the present day that Mr. McClurkin with the rest attempted a defence of his connection with the East End Meeting and the East End Platform. That came before us as testimony. It was not met by any testimony on the other side. Even Mr. McClurkin himself did not say that he did not do that. He said the Court did not have the testimony, did not have evidence of the fact. That is the point he made. What could we do, then?

Then another fact was mentioned—that he did not only give his assent to the agreement, but had signed that basis of agreement disavowing the East End Platform, which the Court understood to be also evidence of the fact that he did give his approval to it, and that he now disavowed it as a bond of union. That was evidence that appeared again in

our record.

And then the third thing that was mentioned as evidence was, that when the Moderator asked him the question, he declined to answer. What could we do with the case, but go forward and issue it? And now when it comes before this Synod on the declinature, this Court, it seems to me, merely as a matter of righteousness, law and order, must go by its Book. And I simply give an intimation that I shall call the

ayes and nays, as heretofore in every step, and put upon the record the position taken by the Court; and that, by dissent, if necessary, shall be given a full statement of the reasons why the action of the Court is against the law and order of the church.

Dr. J. C. K. MILLIGAN; Was this shown by Mr. McClurkin on the point of the admissibility of the libel before they

proceeded to the relevancy?

Dr. McALLISTER: I do not remember that it was brought out. It may have been mentioned; but it was under the relevancy that it was brought before us, and not under the admissibility.

Dr. J. C. K. MILLIGAN: Not under the admissibility?

Dr. McALLISTER: Not to my recollection. My recollection is distinct that this was urged under the relevancy. If it had been under the admissibility, why not then have declined there?

Dr. J. C. K. MILLIGAN: My idea is that he did introduce it there, but of course that is only by hearsay; my evidence is that he put in his objection under the admissibility, and still hoping Presbytery would hear him, he pressed it further

under the relevancy, and then took his declinature.

Dr. McALLISTER: Let me just give you my recollection. He did say there were no witnesses, and he plead against the admissibility on the ground that there were no witnesses, and that there was not any testimony; but all the rest did exactly the same thing. We maintain there were witnesses; that the Court itself was the witness; that the record itself was the testimony; that the whole case had come up to the point where the testimony was all in; where the testimony was complete and nothing more was needed. And this point was argued in his case just as it was in the case of the others. Until the question of relevancy came up, he did the same as the rest did. The same line of argument was maintained by all with the exception of this, that at that point Mr. McClurkin, before he gave in his declinature, made a speech (I recollect it very distinctly inasmuch as I was in the chair). making this charge, and I thought I noticed some persons in the audience nodding their heads, as much as to say they were willing to bear testimony. I think I heard some one say, "I am willing to testify to that." But no such testimony was offered. That was all under this discussion of the relevancy; and at that time, or at any other time. Presbytery would have been willing to have heard any witnesses that the appellant would have brought forward.

Dr. T. P. STEVENSON: I have difficulty in voting for the motion. I think any one will have difficulty in voting for the motion which is now before us. that Mr. McClurkin have leave to withdraw his declinature. The declinature was not made to this Synod; it was not the authority of this Synod he declined, it was the authority of Presbytery; and I do not see that Synod can permit him to withdraw a declinature which was made before the Presbytery. However, this, I think, we can do, and this, I think, it is entirely competent for us to do: permit Mr. McClurkin to come before Synod, and before the Presbytery against which he has complained, and purge himself of contempt of the authority of Presbytery in the presence of this Synod, and in that way dispose of his declinature of its authority.

The ASSISTANT CLERK: If he be permitted to withdraw his declinature, why not then return the case to Pres-

bytery to settle in their judgment as they deem best?

Prof. D. B. WILLSON: This complaint goes beyond the point, and goes beyond the declinature, and he includes the whole treatment that he received. If you shut off his declinature and admit his complaint, for my part I would have a certain sense of shame for having presented an accusation, and having voted against a man, when further developments would show that he was innocent. One part of it is that he assisted in making up the East End Platform; the other that he was at the Meeting and approved of the Platform after it was put up. Now, who is to blame that there was no counter evidence? Himself, by declining the authority of the Court. Therefore, I say, as I look on it, as wanting to do right, if his declinature goes, a great part of his complaint goes with it; because if we had met on this basis in Pittsburgh Presbytery, and he had said, "Brethren, you are wrong, and I am prepared to show you that you are wrong by evidence," do you suppose we would have gone on? Are we not fair enough men to have said, "Bring your evidence forward; it seems to be against you; you signed the paper saying that you withdrew etc.; that you disavowed it." So that I say the prima facie evidence was against him. If he had gone on and pleaded, and brought his witnesses, he would likely have had perfect justice.

Dr. T. P. STEVENSON: I have not yielded the floor except for an explanation. The reason I make the motion is this: The case has been so far proceeded with before this Synod, and testimony has been brought in reference to this case before this Synod by one of the young brethren, which was not before the Presbytery, so that it seems the Synod ought to be prepared to follow that up; and I move that Mr. McClurkin have the opportunity to purge himself before the Synod of any thought or purpose of contempt of the authority of Pittsburgh Presbytery. I think he confused in his mind the meaning of a declinature of the authority of Presbytery with an appeal, and he really thought it was an appeal of his

case to Synod.

(Motion seconded.)

The MODERATOR: It is important for us just to see what

we have before us in the shape of motions. Can the clerk

state the motions before the house?

The CLERK: According to the Minute I have made thus far for this afternoon, the first thing we had before us was the matter pending at the hour of recess, which was resumed. Then the declinature of Rev. A. W. McClurkin was taken up in connection with that matter; and now the motion made by the brother, which I have not got recorded, that he be allowed

to purge himself of contempt.

Mr. LOGAN: Mr. McClurkin gave notice, according to the Minute, of an appeal and complaint. He had a complaint before ever he took his declinature. That is lying before Synod. Now, Mr. McClurkin can be heard upon that. As I understand, the ground of that complaint was that the records of Presbytery were wrong. When an individual impeaches a record of the lower court, he can do so before the higher court, but he must bring testimony before the higher court to substantiate the impeachment. We have had the case before this Synod, possibly some thirty years ago, when Mr. Thomas Johnston impeached the records of Lakes Presbytery. Synod required him to bring testimony when he impeached the records of Presbytery, to show that they were wrong. Mr. McClurkin's complaint is on the admissibility of the charge. The ground on which he complains of this admissibility was, that there was no testimony, and that the records of the lower court were not correct. Now, that is an impeachment of those records. If he can prove that the records are not correct, then of course he gains his point.

Dr. McALLISTER: We have here the two documents, and we have them, with the reasons, before us. The Synod has seen fit to say that it would entertain this complaint. Now, I insist with regard to what the brother has just said, that wherever an appeal or complaint is first taken, or it may be taken a half dozen times, and then afterwards a declinature is taken, the declinature rules out the consideration of the complaint or appeal. The declinature is the point that must be considered. Any one who declines the authority of the Court has no right whatever to be heard on any appeal or complaint that he enters before declining the authority of the Court. He himself ought to understand that, for it was brought before him distinctly at the time, that a declinature had this effect. He must be heard on the declinature of the

authority of the Court.

We have, however, admitted a complaint here informally. Now, reasons are given in the complaint. This is a motion that we hear the complaint and declinature together. Presbytery is perfectly willing to do that, but we will hold the Synod to the record. We have here the reasons given. The reasons given by this person himself with the appeal which was referred to, are not here; the appeal never came here,

and it is not before this Court. Notice was given of taking out an appeal in reference to the admissibility of the libel. That appeal was never handed in to Presbytery. That appeal never came before that Court, and that appeal has never been put upon the table of this Court. So with regard to the matter of appeal on other points. The appeals were never made up; there were never any reasons for such appeals given into the hands of Pittsburgh Presbytery, and such documents, therefore, can not be before this Court. We have, however, the complaint; and it is the complaint which has come before this Court. We waived the law so far as to hear Mr. McClurkin on anything he wished to say with reference to the case. Now we come to the consideration of the documents which are here, and we have waived a good deal when we say we are willing to have Synod take the complaint, which, according to strict law and order, has no right whatever to be here in connection with the declinature.

A MEMBER: Was the complaint against the admissibility

of the libel never presented?

Dr. McALLISTER: No, sir.

Rev. J. C. SMITH: I was going to suggest that the matter Mr. Stevenson brought up was a proper thing, when he moved that it lie on the table.

Dr. T. P. STEVENSON: I make it in this form; that the matter just pending lie on the table until Mr. McClurkin has opportunity to purge himself of the contempt of Presbytery.

(Motion seconded.)

Rev. J. S. T. MILLIGAN: I wish to say a word here, and it will answer what I wanted to say in another place. It is stated in the record of Pittsburgh Presbytery that Mr. Mc-Clurkin complains in the matter of this testimony; and it is stated in connection with that complaint, as the basis of it, that he could prove and had there and would produce the evidence that the record upon which they depended for testimony in his case, was not correct. They went on without regard to that to the consideration of the relevancy, and ultimately under the relevancy he enters his declinature. Now, Dr. McAllister stated here that that declinature cuts off the consideration of the previous complaint. I beg his pardon; if the declinature is sustained, if it shows that in the consideration of the relevancy or admissibility of the libel the Court had not testimony—and it is here made evident that they did not have testimony; I think we are all convinced of the fact; I think I may refer to that, that not only one of those who were at the East End Meeting says he was not there to consider the publication of that document at all. but I think I have heard it from every one that was here almost, that that is not the fact, and the Presbytery ought to have taken that matter into consideration when it was affirmed and proof offered. Then he made his complaint. They were going on to try him. He could do nothing but decline. I do not see any regret for him because of that grievance. Now our place is to consider his complaint in the matter of admitting a libel that had no testimony, and if we sustain that complaint, there is no necessity of considering the declinature.

Rev. J. C. SMITH: I submit that is all out of order.

Rev. J. S. T. MILLIGAN: I submit the motion is out of order in asking a man to purge himself for doing that which he was forced to do when they admitted a libel without testimony.

Rev. J. McCRACKEN: I think I heard it stated by the Presbytery that the complaint and appeal, talked about and written here in the paper, never came to Presbytery at all.

Dr. McALLISTER: A complaint but not an appeal. It is a complaint which just gives the same reasons as the declinature.

Rev. Mr. McCRACKEN: There is not any appeal?

Dr. McALLISTER: No appeal at all.

Mr. D. TORRENS: I do think that motion is not in order. The MODERATOR: The Moderator has decided it is in order, and we will not debate the question.

Mr. TORRENS: I am going to speak against it.

The MODERATOR: You cannot be heard to speak against It has not been thrown open to the house to debate that motion. The Moderator has decided that it is in order, and the only way around it is an appeal to the house.

Dr. GEORGE: I understand our brother to say that he is

going to speak against the motion.

Mr. TORRENS: That is what I was going to do. The motion, as I understand it, made by Dr. Stevenson, is that Mr. McClurkin be required to purge himself of contempt, or supposed contempt, of Pittsburgh Presbytery.

Dr. T. P. STEVENSON: Not required, have the oppor-

tunity.

Mr. TORRENS: I am opposed to that for this reason: We have had a very singular presentation of proceedings presented here by Dr. McAllister, that the records had a certain complaint against Mr. McClurkin, which he said was untrue, and that Dr. McAllister stated to him, "We will receive any testimony that you have to disprove the records. Have you any witnesses?" Now, what would that be? Requiring a man to prove a negative. If a man makes a charge against me, am i bound to prove my innocence? No, sir. That was the position taken by Dr. McAllister on that occasion when he said, "Bring your witnesses and prove our record is not true." He asked Mr. McClurkin to prove a negative, which is never required anywhere in any court of justice.

Rev. J. C. McFEETERS: If I understand the motion that is now before the house it is offering Mr. McClurkin the privilege of purging himself of contempt of Pittsburgh Presbytery. Now, it has been said that he is willing to withdraw his declinature. That declinature perhaps was made on the spur of the moment, and without deliberation, or time to deliberate, and Mr. McClurkin may have changed his mind. I do think we ought to give him the privilege of explaining himself, when he says, or his friends say, that he desires to

withdraw his declinature.

Dr. GEORGE: I wish to call attention again to this fact, that Mr. McClurkin's declinature decided the after-course of Pittsburgh Presbytery, and that when he purges himself with reference to it, that again qualifies Pittsburgh Presbytery to deal with the case, and this Court could certainly not, in justice to Pittsburgh Presbytery, deal with him as if he had not declined, when his declinature determined the course which they must take with reference to him. If he purges himself of his course in his declinature, then Pittsburgh Presbytery has a right to ask that that being removed, the case return to them, and they deal with it as if they had never been set at naught. But you cannot, in justice to a court of Christ's house, do anything else if that course of procedure is taken.

Rev. Mr. WYLIE: I move that he be permitted to withdraw his declinature, and the case be returned to Pittsburgh

Presbytery.

The MODERATOR: That would not be in order.

Mr. LOGAN: I do not think we need to ask Mr. McClurkin to purge himself of contempt of Pittsburgh Presbytery, for there has been no evidence brought before us that there was any contempt. If Mr. McClurkin saw proper to decline the authority of Presbytery, and give a reason for it, he had a right to do it; and there was no contempt of Presbyterv in that. He certainly had a right to do so. And then in regard to giving any testimony, or answering the matter whether he was guilty or not, the Book gives him a perfect right either to confess the crime, or to put himself upon trial. That is the law of the Book. If he saw proper to put himself upon trial, and not say whether he was guilty or not, he had a perfect right to do it. So that there was no contempt whatever there. But then I will say this, in regard to the matter, if Mr. McClurkin withdraws his declinature, it cuts him out legally from any further right here; it just remands the case back to Pittsburgh Presbytery without any opportunity of appeal, so that he is left at the mercy of Pittsburgh Presbytery. If he withdraws his declinature, that is where it puts him.

Rev. J. C. SMITH: I want to say just a word. I think he had a perfect right to decline the authority of the Pittsburgh Presbytery if he thought they were wrong. I think he had that right, and I think he ought to be sustained in so doing.

It seems there are some people here that think he was showing disregard of their authority. Now, all I would want him to do would be to appear and say that in his declinature he had no thought of disregarding a court of the Lord's house, but he thought the line of procedure was such that he could not g t justice in the case, and therefore he declined the authority of the Court, because of the irregularity of their procedure which cut him out from a just decision. And the reason I support this motion is, that if there is in the minds of any one a thought that he wished to show a disregard for the authority of the Court of the Lord's house, he will have an opportunity to say that he did not; that his only thought was that the course that they had taken was cutting him out

of a right decision, and I think he was right.

Prof. WILLSON: It must be obvious, I think, to any one on reflection, that you cannot cut apart two questions that are essentially connected. His declinature of Pittsburgh Presbytery is such an essential fact in the case that you cannot dissociate it from his complaint. As Dr. McAllister has said, the reasons for the declinature and for the complaint: are the same. Now you can easily see that if he withdrawshis declinature, that relieves Pittsburgh Presbytery of the complaint against her. If he presses his declinature, then let Synod say whether he had ground for declining its authority. If he does not press his declinature, the case goes against him by default. So that under the law of our Book relating to declinature, it leaves him, as stated here, to the mercy of the Court. I do not like that expression; I prefer "to the jurisdiction of the Court." I would say. "leaves him to the jurisdiction of the Court." The only thing to do is, if you will grant him the right to purge himself in any way of his act of declinature, you must associate with it the remanding of the case to the Pittsburgh Presbytery for a new trial; there is no alternative.

Rev. J. F. CROZIER: It has been asserted here that Mr. McClurkin had the right to decline the authority of Pittsburgh Presbytery. Pittsburgh Presbytery does not deny this; but Pittsburgh Presbytery insists that she has a right to have that declinature taken up now, and to have it decided by Synod as to whether he was justifiable in making that

declinature.

Rev. D. S. FARIS: I rise to remark the same thought that Dr. Willson has stated, that if Mr. McClurkin should purge himself here, and we should sustain the trial, or not sustain it, it must go back to Pittsburgh Presbytery; or else we must try it ourselves here, one way or the other.

(Cries of "Question, Question.")

The MODERATOR: The question before us is this: That these motions to consider the complaint and declinature be laid on the table for the purpose of giving Mr. McClurkin an

opportunity to purge himself of contempt of Pittsburgh Pres-

bytery.

Dr. McALLISTER: I think it ought to be understood what that means - purging himself of contempt. In the case of the others you gave the same opportunity. It was distinctly before this Court that there had been contempt of the authority of Pittsburgh Presbytery in preaching after they had been suspended from the exercise of the office of the ministry. Mr. McClurkin has been guilty of exactly the same course as the rest. If the rest have been guilty of contempt of the authority of Pittsburgh Presbytery, and if this Court felt it was necessary in the other cases that they should have the opportunity to purge themselves of such act of contempt, the same thing holds true in regard to Mr. McClurkin. Pittsburgh Presbytery went forward and found him guilty of pursuing divisive courses. The question is not whether that was just or not, unless you take up the whole case and try it. The question is not with regard to the relevancy, nor with regard to supension. He did, as a matter of fact, as is proven by the notoriety of the fact, just as in the other cases, go forward and violate the act of suspension, and thus show contempt of the authority of Pittsburgh Presbytery. Now, if it is insisted that he has purged himself of that; if that has already been done to the satisfaction of this Court, and this be now a purging himself of contempt simply in the act declining the authority of the Court, let us have the matter distinctly before us.

Rev. J. McCRACKEN: There is not any contempt in declining the authority of the Court. It seems to me that is impossible. He cannot purge himself of contempt in present-

ing a respectful declinature.

Dr. J. W. SPROUIL: I have not said a word on this matter. I do not see the point that has been made, that Mr. McClurkin will stand beater by bringing forward his complaint. I do not believe it. I believe that his wise plan is to come forward before this Court and urge his declinature. Now, let me just present the way it strikes me. Mr. McClurkin comes before this Court, and he says this: Pittsburgh Presbytery framed a libel; they gave their evidence in my trial; I told Pittsburgh Presbytery, that evidence is untrue, and I am willing to prove it is untrue. And if I understand Mr. McClurkin clearly, he says Pittsburgh Presbytery went forward after that and proceeded to try him. And now he says, "I decline the authority that will proceed to try me on evidence which is false, and which I am prepared to prove is false."

My judgment may be wrong, but in my opinion the right plan for that man to pursue is this: To come forward and say "I did decline the authority of Pittsburgh Presbytery; I did it respectfully; I have the highest respect for that court; and, Fathers and Brethren, I will present you my evidence, and I will ask you to decide whether or not it was just."

Now I think that is his wisest course. I know if I were in his

place, that is the course I would pursue.

The MODERATOR: The question before us is whether we lay these motions to consider the complaint and declinature on the table for the purpose of giving Mr. McClurkin an opportunity to purge himself of contempt of Pittsburgh Presbytery.

(The motion was then put with viva voce vote, and declared

lost.)

The MODERATOR: The motion is now to take up the declinature and the complaint.

Rev. J. S. T. MILLIGAN: My motion would come in

there, but I withdraw it.

Rev. D. S. FARIS: If he is allowed to withdraw it, we must

send it back to Pittsburgh Presbytery.

The MODERATOR: The motion only is withdrawn; now the consideration of the declinature is the matter before the Court.

Prof. W. J. COLEMAN: I wish to ask a question: If the declinature be sustained, does that bring Mr. McClurkin before this Court for trial? I ask that question through the Moderator, of Mr. Willson.

Prof. D. B. WILLSON: The Moderator can answer that

question.

The MODERATOR: The Moderator's answer would be that it certainly does.

Rev. J. C. SMITH: It brings him either before this Synod, or we can send him back to Presbytery.

Rev. J. S. T. MILLIGAN: It would be well to say that after all this case has been tried by his pressing his complaint and their rebuttal, and it is not necessary for him to speak again, nor for the other party to defend.

The MODERATOR: That is correct.

Rev. J. S. T. MILLIGAN: The matter is substantially before us. If there is new matter, that is another question; but I do not think there is; it is the same matter. Really the merit of the one case was in the other case, and we are prepared now, I think, if Mr. McClurkin is here (or whether he is here or not) to proceed to a vote on this declinature.

Prof. COLEMAN: I understand that if this declinature be sustained, it comes before the Synod for trial from the very point at which it stopped in Presbytery; yes or no, if you please. If the Moderator cannot answer, I will request Dr. Willson to answer that question.

The MODERATOR: It is quite difficult to determine just

in what shape the case is before us.

Prof. WILLSON: I would say I would take it for granted that the process is triable by members of his own church. 'A minister can only be tried in our church by Presbytery or

Synod. If he declines to be tried by the court under whose jurisdiction he is what is left but the Synod?

jurisdiction he is, what is left but the Synod?

Prof. COLEMAN: If the declinature was not sustained, does he go back to Presbytery for trial from the point at which they stopped?

Prof. WILLSON: That is correct.

Rev. D. S. FARIS: If the declinature is not sustained, sen-

tence is confirmed, and he lays under it?

The MODERATOR: The Moderator wishes to say, however, that that declinature has never yet been read to this Court except this afternoon. It was read this afternoon, but it was not read before. Although Mr. McClurkin addressed the Court before, yet the matter has not been really argued.

Dr. McALLISTER: It seems nothing more than fair that the person who made the declinature should be heard; he has not been heard on this declinature. This Court has already passed a motion to take up the declinature and complaint together. If he does not see fit to be heard in defending or maintaining the declinature, the Presbytery would claim the right to the floor for a few minutes to speak against that declinature. Inasmuch as it has the right to do that, it will claim the right to be heard, just as the person who makes an interlocutory appeal has the right to be heard.

Mr. WARNOCK: I wish to ask for information, and I wish to make a motion: Has the matter of the declinature been be-

fore the Committee on Discipline?

Dr. MCALLISTER: It has no need to be there.

The MODERATOR: The Moderator has no opinion on that point.

Mr. WARNOCK: Have the papers in the declinature of Mr. McClurkin been before the Committee on Discipline?

Rev. J. McCRACKEN: That paper was among the other

papers.

Mr. WARNOCK: The declinature? Rev. Mr. McCRACKEN: Yes, sir.

Mr. WARNOCK: I move the declinature be referred back

again to the Committee on Discipline.

The MODERATOR: The motion now before us is with reference to the declinature and the reasons of complaint. The clerk will read the exact form in which the motion is, and then the opportunity will be given Mr. McClurkin if he has anything to say to this Court to do so.

(The clerk read the motion as recorded.)

The MODERATOR: If Mr. McClurkin now wishes to be heard on this question he has the privilege of addressing the Court.

Rev. A. W. Mcclurkin: It has been stated here that my reasons for complaint and declinature, while not identically the same, were virtually the same. Now it seems to me that it will be proper to explain to you that my reasons for

declinature are somewhat different from my reasons for complaint, in that I have more included in my reasons for declinature than I have in my reasons for complaint. My complaint was entered after the admissibility of the libel had been determined by Presbytery. I argued against the admissibility on the ground that it contained no admissible testimony. I argued against the admissibility on the ground that it was illegal in that it contained the name of no witness to support the testimony contained in the libel, which testimony is false, that testimony being the assertion that I made certain statements. I argued against the admissibility of the libel on the ground that that libel ought to be re-framed if it were to be determined as admissible against me. When the admissibility of the libel was being considered, I stated in Presbytery that I did not make the statements that were attributed to me in the libel in Presbytery on the 15th of October. It was not behooving me to bring forward the statements I had made in Presbytery, for it appears to me reasonable and just that if I were to be libeled on those statements made in Presbytery in October it was the business of Presbytery to have those statements before me; it was the business of Presbytery to have those statements in the libel, as the reason for libeling me.

Now in regard to the relevancy. When that matter was being considered, I desired a ruling of the Moderator on what was to be determined under relevancy. This matter has been gone over again and again in your hearing, and I need not worry you by recounting what was done in considering the relevancy of the libel against me, but it seems to me that it would be nothing but right for me to go over again, as nearly as I can recall, the way that matter was brought before Presbytery when the admissibility of the libel was being considered. I first brought forward the point that there were no witnesses named in the libel against me; that there were no witnesses called forward to testify that I had said what the Minute contained. Then I went further before they had decided the matter, and stated that I did not say in Presbytery what the libel affirmed I had stated. There they had the matter before them. They had the whole question before them, and it appears to me that if Presbytery desired to do the right thing, and the just thing, if there was any inclination in the minds of Presbytery or its officers so to do, they ought then and there to have moved that the libel be reframed, and the proceedings be stayed in my case.

Of course, it has been stated here that I did not deny attendance at the East End Meeting, that I did not deny that. Of course, that has been stated again and again. I had not denied it from beginning to end, but I denied this: That I stated upon the floor of Presbytery, or that I admitted or affirmed or defended upon the floor of Presbytery in October

any connection with the East End Meeting and Platform. Presbytery may have understood differently. They have since stated they did understand differently, but that does not alter the fact as to what I stated upon the floor of Presbytery. You may state certain things here in my presence. may understand just exactly the opposite of what you state, but that does not change the fact of what you stated. It appears to me that it would have been the right thing for Presbytery to do, then, to have moved, to have considered a motion, at least, to reframe the libel against me. Because they did not do so I allowed them to go on until we came to the consideration of the relevancy: I attempted then to secure a ruling of the Moderator upon what was to be considered with reference to the relevancy of the libel. This is one reason for my declinature: "Because the Presbytery has sustained the Moderator in making such an interpretation of the law with reference to the relevancy of the libel that no opportunity of arguing the relevancy of the libel was allowed." These are not the exact words of that declinature as read, but they are almost the same, just changing one sentence. I did not have the exact copy before me when I wrote it, but it is almost the same. Now the interpretation of the Moderator concerning the relevancy of the libel which he had given in December, not having been overturned by Presbytery, stood yet, and the question was asked when the same form of libel was being considered in December, by one (I don't remember the exact words, but it was to this effect), What is the question that we are voting on now? What is decided under the relevancy of the libel? Are we simply deciding that the following of a divisive course is censurable? The Moderator returned the answer, "Yes, we are deciding that the following of divisive courses is censurable under relevancy." Well, of course, that shut off any discussions at that time. There was no opportunity for arguing against the relevancy of the libel at that time. And there was no opportunity of arguing against the relevancy of the libel in January. There is no room to debate in our church whether the following of divisive courses is a censurable offence or not, and Presbytery has no right to transcend its powers in attempting to decide simply that following of divisive courses is relevant or is a censurable offence. Prespytery had no more right to determine that following divisive courses is a censurable offence than a grand jury has the right to determine that murder is a crime and deserves punishment. Those questions are both removed beyond the power of the grand jury and of the Presbytery. Those questions are determined by the highest court. There are not two minds or two opinions within our church with regard to whether following of divisive courses is a censurable offence or is not a censurable offence. All are agreed that following divisive courses is relevant to censure.

But the point there to be determined concerning the relevancy was, whether the following of a certain course, attendance at a certain meeting, approval of a certain platform, the maintenance of certain principles,—whether these things are censurable, and not simply whether the following of divisive courses be censurable. The question to be determined under the charge of murder—

Mr. W. T. MILLER: I would like to know whether this is entirely in order. I hope we will keep right in order. We do not want to stay here six months on the question of whether murder is a crime or not. The members of the Court are tired to death with the thing, and I hope the Moderator

will keep them down to the point.

Rev. J. C. SMITH: I suggest that the argument on the relevancy is not relevant, and does not make for his case.

Rev. A. W. McCLURKIN: It is the second point in my

declinature, and is not included in my complaint.

Mr. TORRENS: I would like to ask Mr. McClurkin a question.

Rev. D. S. FARIS: The Moderator will stop these questions until the time comes.

The MODERATOR: This is no time for questions.

Rev. A. W. McCLURKIN: Concerning a further reason for declinature is added with this other, and which is coordinate with it, or you might say part of it. the Moderator refused to record his decision in reference to this point. asked that the Moderator's decision as to what was determined under relevancy should be recorded. It may be strange that I should ask that question, but it seems to me that it is just and reasonable, when a court is determining a point, and is voting on a certain question, that it should be entered upon the records what question they are determining, and not simply have it decided that the relevancy of the libel was sustained, or that the admissibility of the libel was sustained. There should be entered on the record that the charge of following divisive courses, and attendance at the East End Meeting, and approval of its Platforms, were sustained as relevant. That seems to me that ought to be entered upon the record as the question upon which Presbytery was voting at that time. Perhaps I was unreasonable in my demand, but it seemed to me that if the relevancy of that libel were to be argued in the Court at all. I ought to have the decision of the Moderator recorded in order that the Presbytery might overturn the decision of the Moderator upon the relevancy, and that the question should be before them by appeal from the Moderator's decision.

Now, I do not know that it will be necessary for me to go over these reasons for my declinature. The reasons appeared plain to me at the time why I should decline the authority of Pittsburgh Presbytery, and appeal to this Court for redress.

Presbytery did not have my statement upon record at all, but had simply an assertion concerning my statement made before When I deny that that statement covers the it in October. ground, or that that statement is true concerning the statement that I made in Presbytery, then does not that overturn the validity of the libel, or the admissibility of the testimony against me? And Presbytery ought then to have considered the matter of resubmitting the case, advancing an admissible libel and bringing forward witnesses. But when the admissibility of the libel was being considered, I offered then and there to present witnesses. And more than that, I offered myself to testify in the court that that statement in the libel, that that statement in the Minute, is incorrect and false. I used the word incorrect then, if I remember correctly. Now, Presbytery ought then, when the testimony was denied before that court, to have re-submitted the case, to have re-framed the libel, and presented their witnesses against me. It seems to me that this Court ought to sustain my reasons for declinature. It seems to me you ought to sustain the appeal which I make to you for redress. I am not going to stand on little points concerning this matter. These points do not matter so very much now, but it appears to me when a person is charged on a libel with specific assertions in that libel, and when he is charged with making certain statements at a certain time, which statements he did not make, and which he is prepared to prove, it appears to me when he is tried on those very statements which he is said to have made, he ought certainly to do nothing but decline the authority of the court that proceeds further to try him, and he ought to be sustained by the superior court to which he appeals for redress.

The MODERATOR: The Presbytery will now be heard by

its representatives.

Dr. McALLISTER: Mr. Moderator, Fathers and Brethren, I simply wish to call your attention to a few points, and I will be very brief. The first thing to which I ask your attention with regard to this declinature is the statement concerning the Moderator. It is stated: "He also refused to record any decision in reference to this point." That is, in reference to what was relevant to censure in the libel. He refused to record any decision on the subject of relevancy. Well, this does seem a strange thing. It is not the Moderator's business to record anything; it is the clerk's business to make a record of the proceedings of Presbytery. The Moderator cannot be blamed for not making a record, for he is not making the The Moderator gave his decision whenever these questions came up to be decided, and the Moderator was called upon to render a decision. He sought faithfully to give a decision, and the record was made by the clerk of all the proceedings of Presbytery; and if there was anything not recorded that it was thought ought to have been recorded, the

way was open to secure the floor and to complete the record. It was not the business of the Moderator, but the business of the recording officer, that is, the clerk himself. I need not

dwell at any greater length upon that point.

Now, in reference to this matter of relevancy. I wish to bring before you once more the point that the Moderator, from the very beginning, insisted that the proceedings before the Presbytery were after this manner; the libel was pursuing divisive courses. Well, nobody needs here to say that that is a thing that is relevant to censure, if the court decide the party guilty. The libel might have been contumacy; it might have been contempt; and it might have been insubordination. Of course, the Court must decide whether that is relevant to censure or not, and the Court simply decided that this charge, pursuing divisive courses, was relevant to censure.

If the specification had been that Mr. McClurkin was at the East End Meeting, as proven by certain witnesses, A, B, C, these witnesses would have had to appear before the Court

and give their testimony.

Then again, the second specification was that "He had avowed his connection with and approval of the East End Platform." That is another point. Now, if there had been witnesses who had heard him avow that in the first place, before the Presbytery met, or in some other way coming to the knowledge of Presbytery, then these witnesses would have been required to appear before the Court and give testimony; and only in this way, in such case, could we have had testi-The Presbytery had, as it believed honestly and monv. sincerely, the testimony in on both these points; and that testimony being in, probation was complete; there was no need of any further probation. The specifications, therefore, could not be argued on the point of relevancy, when these specifications had already been maintained as relevant in substance, which can be done before the case is heard and the probation completed. That was the decision given by the Moderator. It was given time and again, and it is strange to me that it has not been comprehended on what ground the Moderator's decision was given.

So then, in connection with this, it was further maintained that in the discussion of the relevancy the only point remaining to be dicussed would be, not what is the first part of the libel before the subsumption, but to discuss the subsumption in connection with the facts proved, and that would lead the persons to an argument, in the very necessity of the case, which would be against the principles of their own profession; and that argument could not be heard until they had come to their defence. That was the ruling. When they came to their defence, they were permitted to say whatever

they pleased against the principles of their profession.

But now I proceed further in reference to this, to bring the matter definitely before you. Notice that the specifications are true. They do not charge presence at the East End Meeting. Now once more in reference to this I wish to say that the appellant, as we will call him, this brother who makes the declinature, says he offered to give testimony himself, and he offered to produce witnesses. How can a court act upon that? If I am before a court and say that I am willing to do so, and I am willing to bring so and so; but if I do not bring them, the court is not under obligations to do anything in the case, unless I positively bring testimony. Then if the court refuse to receive the testimony, it certainly would be open to the charge of injustice and wrong. The Court never refused for one moment to receive any testimony that Mr. McClurkin wished to present. I wish that to be understood. Not for one moment did the Pittsburgh Presbytery decline to receive it. None was brought. It was stated, "I am willing to do this;" but he did not do it. It was said, "I am willing to bring persons here to testify;" but he did not bring them; they were never brought. Now, when that was not done, what could we do but take the testimony which appeared upon our own records?

But this is not all. That is only one specification. The other specification was the avowal of this connection; that is, giving support to the Platform of principles. Now, did we have any testimony on that point? I wish to have it brought before this Court distinctly that we did. The letter is in our possession and can be produced before this Court, as it was before the Presbytery. I refer to the letter that Mr. McClurkin wrote containing the basis of agreement that was before the Judicial Committee which had been sent to him, and which was returned with his signature. And that document with his own signature is in possession now of Pittsburgh Presbytery, and that document which was before Pittsburgh Presbytery containing his signature says, "I disavow the East End Platform as a bond of union." This we take to be a confession that he had adhered to it and still adhered to it, only that he disavowed it as a bond of union within the Reformed Presbyterian church. Now, that testimony was before the Court on the second specification; and when you are considering a libel you must remember that that libel is made up of

parts.

I wish to read now from the old Scottish Law on this point, Steuart's Collections, page 401: "The relevancy of the libel is the justness of the proposition, whether the matter of fact subsumed be proven or not." Now, concede that it was not proven that he had been present at the East End Meeting; concede that it was not proven that on the floor of Presbytery he had avowed this connection and defended it; admit that that was not proven, yet this is what I wish to refer to: "Al-

though one article of the libel per se, be not relevant, yet if three of four articles conjunctive be relevant, the same may be admitted to probation." And where there is a libel which has three or four articles, or a number of articles brought together, one of them may be disregarded; one of them may even be regarded as irrelevant if proven: one of them may be regarded as thrown out because its proof is not complete; but there remains another. The question is, whether there is anything remaining as a true libel. The Pittsburgh Presbytery stands here, Fathers and Brethren, to say that whatever might have been the fact, we did not have the proof that it was contended could be brought. It was not brought. Then there remains this second part, as to the approving of the principles, of the East End Platform; and we had the proof of that approval, in the document which Mr. McClurkin himself had signed, disavowing it from that time on as being to him a bond of union or anything more than an opinion which he had retained, and to which he would give his approval. So that we have this in the second part that stands unchallenged. And not one word has been said against that.

Now let me go still further in regard to the declinature. Of course it cut off any consideration of what followed from the time there was the declinature of the authority of Presbytery. There could be no complaint entered by the person who made the declinature against the subsequent action, for he had declined the authority of the Court. So that no question with regard to the verdict finding him guilty of pursuing a divisive course can now come before this Court; and so no question can come before this Court with regard to the sentence of suspension, for these were the exercises of the authority of the Court subsequently to the time when the authority of the Court was declined, and he must take simply the reasons which are given in the declinature itself, and in the complaint, which are substantially the same reasons. Confining ourselves within these, I submit to you if there did not remain, even after all that has been claimed, as to which there has been no proof excepting the statement that has been made, sufficient ground for Presbytery's action? Does it not appear that the Pittsburgh Presbytery, in the document with Mr. McClurkin's own signature to it, had so much of probation that the second specification in that libel was complete, and that the Court was warranted in going forward and issuing the case as it did, finding him guilty of pursuing divisive courses, and then carrying out what it subsequently did in the way of sentence of suspension, although, as I have already said, these two matters do not and cannot come before The only point is, whether there was ground us at this time. for his declining the authority of the Court. And I submit to you, Fathers and Brethren, that if you sustain this declinature, then you cast upon the Presbytery this reproach and

odium, of having gone on with a case and doing such injustice as to justify this most extreme proceeding. For note what our Book says: "If the party entering such declinature fail to establish the ground of it before the higher court, he must abide, without the privilege of appeal, the decision of the inferior court. Of course, such declinature should be entered only in cases of great urgency, where there is no prospect of a fair trial." Now, are you ready to say that this was a case of such urgency that there was no prospect whatever of a fair trial before Pittsburgh Presbytery? I still affirm before you that if he had offered that testimony; if he had offered or demanded that he should give testimon himself, or if he had said, naming any one, "Here is such a person whose testimony I ask to be received;" and then we had refused to receive testimony from anybody, there would have been some reason to say that there was no prospect of a fair trial. But instead of this the Presbytery was ready to receive all the light that could be given on the subject, and never refused to receive one single ray of light that could have been offered. And it went forward and did its duty according to the light it did have. Can you say you will sustain this declinature, and thus charge this Presbytery with having such a disposition in reference to this matter that the person before it could have no prospect at all of a fair trial?

The MODERATOR: Mr. McClurkin has the privilege now

of replying to what has been said by Dr. McAllister.

Rev. A. W. McCLURKIN: It is not necessary to go forward to say all I have to say, Mr. Moderator. It seems to me I can only say that I did not state that I was responsible for the adoption and publication of the East End Platform, nor did I defend the principle of that Platform. The signature to that letter disavowing the East End Platform as a bond of union within the Reformed Presbyterian church is again brought up as convincing proof that I attempted a defence of the East End Meeting or Platform, and my connection with it. Am I on trial for my disavowal of the East End Meeting and the East End Platform? The matter of adherence to the East End Platform and Meeting is a matter which Presbytery must proceed to prove. I am not bound, it appears to me, to prove a negative. Now, I just wish to say a few words in explanation of how it was I sent that letter. I considered the point that it might possibly be used in evidence against me as proving my responsibility for the adoption and publication of the East End Platform; but it appeared to me that if I were to go through all the intricacy of all these points that there would be an endless amount of ecclesiastical litigation, and I never felt like fighting. I always could, from the time I was a boy in school, show a clean pair of heels when it came to a fight. And I believe still my best fighting ability rests in my feet. Now, it appeared to me that this whole matter would

be cleared and settled by my signature to that agreement, by my agreeing to that agreement, and I agreed to it, and I thought the matter would end then and there. The matter has not ended there, and from the appearance I presume the matter will not end there.

Rev. D. S. FARIS: I would like to move, before you vote, if the matter be in order at all, that he be allowed to bring his witnesses here by which he proposes to disprove the tes-

timony offered by Presbytery.

Mr. D. TORRENS: He has no right to do that. No man has a right to disprove another man's charge. It is the party

bringing the charge who has to bring the proof.

Rev. D. S. FARIS: I understand a man has a right to bring witnesses to defend himself. I understand he said he had witnesses, and that he could defend himself. He neglected to bring them before Presbytery. I move now, if it be in order, that he be allowed to bring them now and here before he closes this speech.

Rev. J. S. T. MILLIGAN: He can do it, by plenty. I do not think it the wise thing to do, however. The Court must bring the evidence and prove the party guilty, or else he is

not guilty.

Rev. D. S. FARIS: The evidence of the Court and its as-

sertion is conclusive if it is not disproved.

Mr. TORRENS: How is it conclusive? We have heard Dr.

McAllister say, within — —

The MODERATOR: The motion is that Mr. McClurkin be allowed the privilege of producing witnesses upon the point in dispute.

(The motion was then put to *viva voce* vote and carried.)
The MODERATOR: Mr. McClurkin has the opportunity of

producing witnesses.

Rev. D.S. FARIS: That he be allowed to bring the witness to disprove the charges in the libel here and now in this speech, and before his closes this speech.

Rev. J. C. SMITH: Let it be understood he is not com-

pelled to do it. It may be his witnesses are not here.

Rev. D. S. FARIS: I understand he has his witness here. Dr. T. P. STEVENSON: I understand it is not to refute the charges; it is whether the minute is correct.

Rev. D. S. FARIS: My statement was, the Court's evidence

was conclusive if it is not disproved.

The MODERATOR: There is a statement made in the Minutes of Pittsburgh Presbytery which Mr. McClurkin declares is not a true Minute in his case, and he has witnesses by which he can prove that it is not true. The point made by Mr. Faris is that the Minute of Presbytery is evidence before this Court unless it is disproved.

Dr. GEORGE: I would like to raise this point: I understand that the defender of Pittsburgh Presbytery has asserted

that this opportunity was afforded to Mr. McClurkin in Pittsburgh Presbytery, to do what it is proposed he shall do here, and he did not do so. I do not know under what provision of the law it is provided he shall produce it here, as if it were in support of his declinature. That is my point. I can see how it might be a reason for a review of the case afterwards, but not as a matter in support of his declinature.

Prof. D. B. WILLSON: Is not the production of witnesses

the trial of a case?

The MODERATOR: It would seem to be.

Rev. A. W. MccLurkin: It appears to me the course for me to follow would be to call upon the senior prosecutor before Pittsburgh Presbytery to testify, and if he can testify that I did state I attended the East End Meeting, and adhered to its Platform, and if he can testify to that, I do not know but indirect testimony will be the way in which I will have to present my case. I do not see any of those present here whom I can call upon to testify.

The MODERATOR: Mr. McClurkin states that he does not see any one in the house whom he is able to call to testify as

to the incorrectness of the Minute.

D.J. GEORGE: I think it is unfair to brother McClurkin and to Presbytery to call for the testimony here.

Rev. D. S. FARIS: We do not demand it, of course.

Dr. GEORGE: I do not think it should be, in any way, a reflection upon him, because he cannot do so.

The MODERATOR: It will be understood, it is because the parties are not in the house. Mr. McClurkin will go on with

his reply.

Rev. A. W. McCLURKIN: If these other statements are called in question I can produce my father, who is known here, as a witness to substantiate what I have stated, with regard to the signature to that paper disavowing the East End Platform and the East End Meeting. I wish you consider this: that in the absence of my statement being recorded upon the Minutes of the Pittsburgh Presbytery, my denial that I made those statements is sufficient to invalidate the libel. I think that point is established. My own denial that I made of those statements is sufficient to invalidate the libel in the absence of a witness to support those statements.

Dr. McALLISTER: I just wish to refer to two points. First, with regard to this last statement, that the denial of the person himself was sufficient. Now if you take that as a rule of procedure in any court you will not be able to convict any person of anything whatever. Just let me show you how it would work. Here were a number of persons, who were all connected together, (and I will refer to that more fully in another connection), all linked together in a certain attitude, and in a certain course; these persons are all mentioned together in the Minute of Pittsburgh Presbytery, as having at-

tempted a certain thing. This Minute, as to what these persons all did was repeatedly read and was not denied. It was read time and again at different meetings of Presbytery.

Rev. J. C. SMITH: This is a new matter.

Dr. McALLISTER: All his is in reply to his denial being sufficient to meet the Minute. He says his denial is sufficient. I say the denial of any man who is accused is not sufficient when there is testimony of this nature. He must bring positive testimony apart from his own denial. He failed to do it, and that although the way was open to do it. Now, this leads me on to the next point, in regard to this "disavowing," about which so much has been said in the way of rebuttal. I would ask, What would be thought it such a man as my friend, Prof. Willson, were called upon to sign that paper, "I hereby disavow the East End Platform as a bond of union?" What would be thought of it? Would anyone ever ask Prof. Willson to sign anything of this kind? Would anybody ever have asked the Rev. Mr. Crozier to thus disavow the East End Platform as a bond of union?

Rev. H. P. McCLURKIN: If they were charged.

Dr. McALLISTER: The absurdity would be in charging men of that character.

Rev. H. P. McCLURKIN: You are charging A. W. Mc-

Clurkin.

Dr. McALLISTER: How comes it there was the necessity for that disavowal? The necessity was the relation to the persons connected with that Platform, as it was understood to be a bond of union, and hence the necessity for a disavowal on the part of one, against whom there was any such ground of accusation whatever. Where the charge was made, making such a disavowal necessary, there must have been some basis. Why, if anybody would come to me and say, "You give your agreement of disavowal of that;" I would scorn it. I would say, "What right have you to charge me for one moment with ever having had any connection with that to require my disavowal?" If anybody would send me a letter or paper, saying to me "You sign that paper as a basis of agreement," I would say, "I have given no grounds whatever to justify such a procedure."

Rev. J. C SMITH: I rise to a point of order: It is out of order to speak about that paper before the paper be produced.

Dr. GEORGE: I asked the brother who has the paper to bring it here. It would require the length of time it requires to go to my room.

Dr. McALLISTER: It has been referred to under the former

discussion.

Dr. GEORGE: I am in possession of it and will bring it here from my room. Mr. McClurkin has admitted in the hearing of the Court that he did sign it, and he has explained how it was he signed it. What further testimony did we

need? He said that that paper was received when he was out at his father's.

Rev. H. P. McCLURKIN: I am here to make an explanation in regard to that paper.

Dr. McALLISTER: I am perfectly willing to hear any

explanation. Rev. H. P. McCLURKIN: My son came home shortly after the meeting of Presbytery on the 15th of October, and of course he related to me fully what had taken place at that Presbytery. He stated to me that there was a paper from his congregation, (New Alexandria,) and the Minutes of Presbytery will show that there was such a paper, and that he made a statement before the Presbytery in regard to that paper and not in regard to anything else.—the East End Meeting, the East End Platform, or anything of that kind. While he was there, Rev. J. W. Sproull wrote a letter stating to him that the other six who had spoken on the 15th of October before Presbytery were before the Judicial Committee of Pittsburgh Presbytery and they had agreed to certain things. And Brother Sproull wrote to him that if he would agree to the statements that were made there, and sign his name to that, that he would report to Presbytery, and all the difficulty that had been before Presbytery on the 15th of October would be

settled.

My son said to me, "This has reference to a matter that I had nothing to do with,—the publishing and the advocating of the East End Platform." He stated that to me. He received the letter in the evening, by the last mail. He said, he did not feel like agreeing to that settlement, because it was a settlement of a matter he had nothing whatever to do with, the publishing of the East End Platform and the advocating of the East End Platform. He stated to me again that all the statement he made before Pittsburgh Presbytery was in regard to the paper which came from his own congregation to Presbytery, and there was no reference in that to the East End Platform from first to last. There was reference in that to the vote of the seventeen in last Synod. In the morning we read that letter. We looked at the agreement that the six men had engaged to keep. I understood that they had subscribed to it; though I don't know that the letter said so. The statement was that they had agreed to these three propositions disavowing the East End Platform and other things. My son still said to me in the morning, "Father, I have nothing to do with it, and I wonder at Dr. Sproull sending to me an agreement on points that I stated nothing about and have nothing to do with, the publishing of the East End Platform, and the vindicating of that Platform before the Pittsburgh Presbytery." I said to him, after reading the letter over a number of times, and I urged him to return an answer that he was perfectly willing to give his name to an agreement of that

kind if it was going to settle all the difficulties that had arisen in the Pittsburgh Presbytery. His mother came in and talked to him in regard to the same matter. And he stated to us both, "Now, probably if I agree to this settlement it will be brought against me at some future time as evidence that I have to do with the publishing of the East End Platform and the vidication of that Platform before the Pittsburgh Presbytery."

Now, these are the facts of the case. This is the way he came to give his name to that paper. He was in difficulty, as you know, before the Pittsburgh Presbytery in regard to a matter that came from his own congregation, and he stated to that Presbytery that he wished to be released from that congregation, because he did not desire to make the least difficulty, or cause the least division anywhere in the church from anything that he had done. And it was said to him at that Presbytery, on the 15th of October, that he had better wait and see whether he had any right to preach before he talked about a dissolution of the pastoral relation with that

congregation.

Now, as soon as he received this letter from J. W. Sproull. that the matter was settled if he agreed to that settlement, I urged him to agree to it. Why, of course I could agree to that settlement. I was one of the seventeen, and I could have agreed to that settlement although I had nothing to do whatever with the East End Meeting first or last. I could have given my name to that settlement. And it was stated in the letter. Understanding that, he send word to a friend in the bounds of Pittsburgh Presbytery to have his dissolution of the pastoral relation granted to him at that meeting of Presbytery. They called a meeting of Presbytery. He sent word to that effect to have it brought before that Presbytery, because now the matter was settled, so far as he was concerned. and he wanted to be released from the congregation as he had stated in the fall, and as he had stated to the congregation . before Presbytery met. And the friend says that he brought it before that meeting of Presbytery, and the Moderator of Presbytery said that that Presbytery was called for a special purpose and could not attend to anything else, and he did not get the dissolution of the pastoral relation from the congregation at that meeting. And he did not get that dissolution until the 14th or 15th of January, and it was then by consent.

And I am more particular upon this point because it has been published that he did not do what he stated to the congregation of New Alexandria that he would do; but he did carry it out to the very letter. And I have wondered when fathers and brethren were talking about the disruption of congregations that they could not make any exception at all of my son not making any disturbance anywhere. He says that he never made any statement in regard to his being

connected with the East End Platform or publishing or vindicating it; that he did not do anything of that kind before Pittsburgh Presbytery on the 15th of October; and I thought, when he was called upon to bring his witnesses, that he would call upon all these young men who were there and heard the statement that he made, and knew all about his connection with any of them. The matter is very plain before my own mind, and I have never yet used language to convey thoughts that are in my own mind; but I think it must be clear before you all that that paper that he is spoken of as signing, or agreeing to, or of giving his name to, to settle the East End difficulty, was not in the first libel; it was only the statements before the Presbytery on the 15th of October that were brought forward as testimony. This other matter comes in afterward.

A MEMBER: I move the previous question.

The MODERATOR: The previous question is not in order.

Dr. McAllister has the floor.

Dr. Mcallister: I just wish to take the point up where our honored father has left it. I will take the construction which I noted down from what he himself stated. that Dr. J. W. Sproull wrote to his son that the other six who had spoken before the Pittsburgh Presbytery had agreed to this basis, and because the other six who had spoken before the Pittsburgh Presbytery had agreed to this basis, Dr. Sproull wrote to Mr. McClurkin as another one who was connected with the other six, and who had also spoken. Now what does all this mean? It simply means that this seventh one was connected with the other six; that if this seventh one had been in Allegheny when the Judicial Committee met, this seventh one would have been there to meet with the Judicial Committee; and that this was the arrangement made by the Presbytery. You see how it all hangs together. You can't take one part of this and separate it from the rest, for it is all concatenated; it is all linked; it is all one piece.

Now recollect, that according to the Minute of Presbytery at the regular meeting in October, these seven persons were named. Inasmuch as Presbytery desired to effect a reconciliation, a committee was appointed to meet with these seven. The seven were all to meet with the Judicial Committee. The Judicial Committee made its arrangements and expected to have the entire seven with them. One of the seven was absent. That was noted at the time of the meeting of the Committee. When the basis that was agreed upon in that Judicial Committee had been accepted by those that were present, it was felt that the other one of the seven must have the same opportunity: and accordingly the chairman of that Committee wrote to the remaining one of the seven; and in writing we have the statement (and I wish the letter were here or a copy of it) which implies that the other six had spoken before

Pittsburgh Presbytery, as father McClurkin himself says; and which implies that this seventh one had also spoken, and accordingly he had agreed to this same basis. Now if he had not spoken, why did he not in the letter replying to that then and there say that he had not spoken. That was a good opportunity to make the denial in connection with his reply. It was not made then. Now, all this simply links together; and when the Minute came up subsequently, still there was no denial made, and thus it goes on point by point and step by step. So that I maintain that this disavowing of the Platform in view of all these circumstances implies a connection; and it is not simply a mere inference that is not to be regarded, but it is a matter of evidence. It was the disavowing of a certain paper as a bond of union, and this testimony remained before the Court. Even if the other testimony that it is said was offered but was not produced had been produced and had proven conclusively to the mind of the Presbytery that there was a mistake about that Minute as to what had been attempted in the way of a defence; even if witnesses had been brought forward and their testimony had been taken and it had been proven to Presbytery's satisfaction that such an attempt was not made, there would still have remained the other part of the libel, that there was support given to the East End Platform, as was proven by the disavowal of it as a bond of union. So that there would still have been ground of proceeding as against one who had given maintenance and support to the principles of a Platform, antagonistic to the very life and integrity of the Covenanter church. Now, in view of all these facts can you throw back upon Presbytery, by sustaining this declinature, the censure that it has been so conducting the case that there was no possibility of a fair trial? I leave it with your sense of righteousness and truth to ask yourselves whether you can do that. I leave it with you to give your own decision.

The MODERATOR: The next thing in order is to ask

questions of the parties.

Rev. J. McCRACKEN: I wish to ask the Moderator of that Court: Did Mr. McClurkin state positively that he did not make any statements bearing on that point?

Dr. McALLISTER: I do not so understand him. He said the Court did not have the evidence that he did so do.

Rev. Mr. McCRACKEN: Was he informed at that time that he proposed to bring evidence that this was the time, and the way was open for him?

Dr. McALLISTER: There was no formal statement of that

kind.

Rev. Mr. McCRACKEN: Nothing of that kind at all?

Dr. McALLISTER: No formal statement, but it was understood that anybody had the right to do that. If there had

been any one offered, the testimony would have been heard then and there.

Rev. J. McCRACKEN: I simply ask the question.

Dr. McALLISTER: I wish to make a statement in that connection; no one was offered as a witness.

Rev. J. McCRACKEN: I ask the question, if he was informed the witness would be received?

Dr. McALLISTER: He did not need to be informed; he was not informed in express words.

Dr. T. P. STEVENSON: I move that the asking of questions cease and that the parties be removed.

(The motion being duly seconded was carried by a viva

voce vote.)

Rev. Mr. WYLIE: I move the previous question.

A MEMBER: I move that the speeches be limited to two minutes.

Dr. McALLISTER: There must be a motion when the parties are removed as to what is to be done; the other

motion is to hear.

Rev. D. S. FARIS: I would make the following motion: In the case of the declinature and complaint of the Rev. A. W. McClurkin, we find no reason for sustaining the declinature and complaint, but inasmuch as he claims to be able to disprove the evidence upon which the Presbytery made its decision, we order that the matter be returned to the Pittsburgh Presbytery, and that they be directed to re-open the case.

(This motion being duly seconded was carried by a rising

vote.)

Rev. Mr. McCRACKEN: Does that leave Mr. McClurkin under suspension.

Rev. D. S. FARIS: It leaves him just where he was until

they re-open the case and determine where he is.

Rev. Mr. McCRACKEN: This case is so encumbered with doubts (and I myself have the gravest doubt as to the testimony) that I do not feel like leaving Mr. McClurkin under suspension. The case is extremely uncertain.

A MEMBER: I feel precisely the same.

Rev. P. H. WYLIE: I move a reconsideration of the vote. (This motion being duly seconded was put to vote and carried.)

Rev. P. H. WYLIE: I move that this declinature be sus-

tained.

Dr. McALLISTER: The original motion is before us and I call for the ayes and nays.

(The original motion was read by request.)

Rev. P. H. WYLIE: In defence of my motion I want to make a few remarks.

The MODERATOR: Do you offer that as an amendment?

Rev. P. H. WYLIE: The motion before the house is the motion Mr. Faris made.

The MODERATOR: Yes, sir.

Rev. P. H. WYLIE: In opposition then to that motion I will make some remarks. In the first place Mr. McClurkin insists on his denial that he had approved the East End Platform.

Mr. W. T. MILLER: I rise to make a motion that speeches

be limited to five minutes.

The MODERATOR: No motion is in order while the speaker has the floor.

Rev. D. S. FARIS: Does that motion of mine not hold over

from vesterday?

The MODERATOR: It is quite difficult to know what that

motion was intended to refer to.

Rev. P. H. WYLIE: So long asMr. McClurkin denies that he did give approbation to the East End Meeting and Platform and it is not proven that he did, his denial would make him an innocent man; so that his reasons for declinature would be sustained on that ground. Then further: In regard to the matter of signing that paper, he signs a paper that he disavows the East End Platform. He makes a clean matter of that disavowal, that he did it on the hypothesis that that was to settle the question. Now, there can be no inference from that that he was guilty of having anything to do with that Platform. It is entirely fallacious to argue from that that he did give his approbation to that Platform. And then, further, if there was anything wrong in avowing that Platform, the disavowal sets him forth as an innocent man from the time he disavows it. So that having made the disavowal of that Platform, then from that time forth until some new cause should arise he should be considered as an innocent man, it appears to me. It is most fallacious to argue that because he disavows it that therefore he had been guilty. His disavowal makes him an innocent man from the time of his disavowal. And the very fact that he did disavow that matter renders it a matter that is doubtful about his being again charged.

And then further, Mr. Moderator, in regard to his right to decline the authority at that time. Any one concerned in a trial may decline the authority of a judicatory which undertakes to judge a case over which they have no cognizance. Now, Mr. McClurkin did not make any point on that. But the second part is, "or which acts in any way illegally." Now there is the point Mr. McClurkin bases his declinature on—that the Presbytery was acting illegally in his case. And had he not reason to decline when they were bringing it as a foundation, or as an argument, that he was guilty because he had disavowed the thing? Why certainly it was most illegal to bring forward the fact of his disavowal of it as a ground

why he should be charged. And therefore he had a perfect right to decline the authority of Presbytery, and I am ready to vote to sustain his declinature.

Mr. W. T. MILLER: I move the previous question.

A MEMBER: I have listened to this discussion throughout, and I understand that he never gave his assent to making public the opinions or principles of the East End Platform. If that is the case, how can Mr. McClurkin be guilty? How can the complaint of this trouble, which has spread all through the church, be placed to Mr. McClurkin, if he did have some connection with the East End Platform? He has stated here before this Court, that he never gave his assent, if I understand him right, to that matter of publishing, and as far as he is concerned it would have been a quiet matter. I gather that idea from what Mr. McClurkin has said.

The ASSISTENT CLERK: I would like to read the record: "Statements were volunteered by Revs. J. R. J. Milligan, H. W. Reed, E. M. Milligan, A. W. McClurkin, O. B. Milligan, W. L. C. Samson, H. W. Temple, all of whom attempted a defence of their connection with the adoption and publication of the Platform referred to in the memorials."

Rev. J. C. SMITH: I cannot vote to say there is no cause for sustaining this declinature. I must say he had good cause; I must say that the whole circumstances to me are as clear as noon-day, that Pittsburgh Presbytery did 1 ot do right in that case. That Presbytery comes before us with a statement of a general character, and that statement ought not to have been admitted in any of the cases except they all had avowed their presence. That is the only thing that justifies the production of that Minute in any of the cases. But in this case, when he positively denied it was true, and when he offered to bring witnesses to prove it was not true, then they were bound to see that justice was done; they were bound to offer him the opportunity, and not only that but to call for the testimony. It is not the business of a Presbytery to convict a man; it is the business of Presbytery to get at the truth. And when he stood there saying that that Minute was wrong, that he had not heard it before, and that he was prepared to prove that it was wrong, and they did not call for a witness, but went on and tried the case, I say that was the perpetration of injustice and wrong, and that it put it beyond his power to get justice under the circumstances.

Besides, it would be very wrong for us now to remand this to Pittsburgh Presbytery, and continue him under censure, perhaps, for six months before a trial can be had. Now, I cannot vote for this motion. I will vote for the principles of the church and for justice, and I will vote to condemn men when they acknowledge their guilt in their adherence to certain things; but when it is not proved, and when it is denied,

I cannot say that there was no ground for declinature.

Rev. J. C. McFEETERS: If I understood Mr. McClurkin. he offered to bring proof in Presbytery that he had made no statement admitting that he was connected with that East End Platform. The proof was on that point. Now there is another point: Whether he himself was connected with that or not. We would not ask a man to admit he was connected with it. We would not expect a man on trial always to make an admission like that. But if our young brother had made a speech like his father made in this Court, this matter would have been settled in a very few minutes. His father, if I understood him, stated that his son, in conversation with him, declared that he had nothing to do with the Platform. Now that is the point. If a man be innocent, I ask, is it not right, is it not manly, for him to stand up in a church court and say he is innocent? If he had made a speech like his father has made, I would have no difficulty at all in voting on the matter clearly in favor of Mr. McClurkin; but he having acknowledged having this attitude towards that Platform, has not made any such intimation to this Court from beginning to end.

Rev. D. S. FARIS: I do not see any need for my relative, friend and brother to get so excited about this matter. The reason I make this motion is because our Book does decidedly discourage men from taking out declinatures; and it says that a declinature ought to be taken out only in the most urgent cases. My next reason for it is the fact that if he had let his declinature alone, and remained in the Presbytery, he undoubtedly would have had the opportunity to bring these circumstances out on the floor of Presbytery; and without he can disprove the testimony, we are under no obligation to re-open the case. According to the Book if the declinature be not sustained, he is under the decision of Presbytery. But we say, inasmuch as he claims to be able to disprove the statements made by the Presbytery, therefore, they be ordered to re-open the case and give him the opportunity. This resolution, therefore, is in the nature of a compromise. We cannot compromise on the first part. The law discourages men from taking out declinatures. He has taken his declinature, and he and everybody else, by our decision, ought to be made to feel that he has not a right to take this step except in the most urgent cases. In order to relieve this case we further order that it be remanded to Pittsburgh Presbytery to re-open the case.

Rev. J. C. SMITH: When?

Rev. D. S. FARIS: When it is convenient for them, or we may decide that. According to the Book when his declinature is not sustained he remains without redress under the judgment of the Presbytery. Of course, this motion leaves him under that judgment until the Presbytery have time to

meet and re-open the case, and decide it according to what evidence they may get.

Rev. THOMAS ACHESON: I move the previous question. (This motion, being duly seconded, was carried by a viva

voce vote.)

Rev. Mr. JOHNSTON: Does Pittsburgh Presbytery vote on this motion?

The MODERATOR: The Moderator thinks not.

(Motion read by request.)

A MEMBER: I would like an explanation; if we vote that we find no reason to sustain the declinature I would vote one way; in regard to returning him to Pittsburgh Presbytery I would vote another way.

The MODERATOR: Shall this question be divided?

Rev. F. M. FOSTER: A vote to sustain the declinature and then return him to Pittsburgh Presbytery leaves him in the same unfortunate position he was.

(The motion, as read, was carried by a standing vote of

fifty-one to forty-seven.)

Mr. TORRENS: I ask for the calling of the roll.

The MODERATOR: The question has been decided, and you cannot call for the calling of the roll now. What is now the will of the Court?

Rev. T. P. STEVENSON: I move the previous question on the entire remaining portion of the resolution of Rev.

Mr. McCracken.

Prof. WILLSON: If it is in order I move the indefinite postponement of the remainder of that paper.

Dr. J. W. SPROULL: I do not understand that.

was that paper?

Prof. WILLSON: It is the resolutions attached to the paper.

Dr. J. W. SPROULL: That is all right.

Rev. D. S. FARIS: I think it is necessary to take up the

motion because of giving reasons for this action.

The MODERATOR: The Moderator would like to ask a question. The Book says when the court reverses, reasons shall be given; but does not say anything about it when it affirms the decision of the lower court.

Rev. D. S. FARIS: All right.

The MODERATOR: What is now the will of the Court?

Dr. H. P. McCLURKIN: I rise to a question of privilege. I believe it has been stated my son remains under suspension until the issuing of the case by the Pittsburgh Presbytery. wish the Court would answer this question: How far does this suspension reach? Does it reach any further than the Reformed Presbyterian church? I understood the defender of Pittsburgh Presbytery, Dr. R. J. George, to say that he did advise some of the brethren that they were not suspended from the ministry outside of that church; and the other defender of Pittsburgh Presbytery was very decided in regard to that matter, that it extended everywhere. Now I would like that the Synod would decide that matter.

Rev. J. McCRACKEN: I move the suspension be removed until the Pittsburgh Presbytery meets to try the case.

(This motion, being duly seconded, was put to a vote and carried.)

Dr. McALLISTER: I think that is perfectly right.

Dr. R. J. GEORGE: I want, as a question of privilege, to allude to a remark made in connection with this case. I said in reference to that act of suspension, that in returning home I had stated to Brother Reed in answer to his question, I thought he was not excluded from preaching outside of our church, but I also stated, that when the matter came before the Presbytery afterwards, as to the extent of it, that it was made clear the meaning of the Court was otherwise, and that Presbytery itself had interpreted its action as excluding them

from preaching altogether.

Rev. J. C. K. MILLIGAN: I wish to present the following dissent from the action taken this morning; "The undersigned humbly but earnestly protest against and dissent from the action of Synod in refusing to sustain the appeals of the ministers suspended by Pittsburgh Presbytery for the following reasons: 1. Because the appellants were suspended as being guilty of rejecting the doctrine and practice of political dissent from immoral constitutions as a term of communion, and of refusing to apply the Scriptural doctrine to the U. S. Constitution. Yet the East End Platform, the ground of their suspension, expressly accepts the Testimony and the Terms of Communion, which set forth our entire covenanted position in this matter; and it only disclaims the binding obligation of resolutions, or explanations, that are not included in the standards, such as those of 1888, allowing members to sit on jury, and those of 1889, allowing voting on amendments, against which many dissented as a violation of our Testimony and Covenant. The real contention of the appellants was that the doctrine of political dissent contained in the Testimony is Scriptural and a term of communion; that it is the right and duty of the church to apply this in clear testimony against national immoralities, and by Scriptural terms of communion; but that her witness-bearing resolutions and explanations, until they are explicitly placed in the terms of communion, are not binding as such. 2. Because the suspension of these ministers, on account of their denial of the obligation of such Synodical resolutions is a judicial decision which makes these explanations a term of communion in violation of Presbyterian law and order which require the overture and adoption by the church of every such term; in violation of the Confession of Faith, xxxi, 4, which says that Synods 'are not to be made the rule of faith or prac-

tice; in violation of the Testimony, Ch. iii., Error 6, which denies that ecclesiastical authority, the writings or traditions of the ancients, can be admitted, in whole or in part, as the supreme judge of religious controversy, and xxii, 4, which asserts that 'Terms of Christian Communion should embrace nothing but what is Divine Truth;' and in violation of common justice which forbids an ex-post-facto law to exclude from the church those who have been regularly received and adhere to the original terms of communion. 4. Because the suspension upon this ground restrains all discussions of current interpretations of our subordinate standards, and all progress in our Testimony, even when there is simply a statement of belief made to correct public misrepresentations. 5. Because the process conducted by Pittsburgh Presbytery was irregular: 1st. In that the preliminaries of the trial led the accused to believe they were deceived and taken advantage of at every step. 2nd. In that the libel was decided to be admissible without a witness cited, or a word of confession attested as having been made. 3rd. In that the accused were not allowed to discuss the relevancy, and that the relevancy was decided on the ground of the charge and not of the specifications which must sustain the charge. 4th. In that they convicted the accused without proof that the East End Platform was contrary to the standards, or proof of any other divisive act. 5th. In that they suspended the accused after they had taken an appeal and while they were carrying it forward to the superior court. For these and other reasons we solemnly protest against the Synod's action, appeal to the Head of the church, declare our adherence to the true covenanted position of our standards, and demand the right to have and enjoy all the privileges of the church as guaranteed by our Testimony, xxi, 5: 'If the majority should violate the terms upon which church members were united, it is lawful for the minority to testify against the defection, and to walk by the rule of their former attainments."

J. C. K. Milligan, H. P. McClurkin, J. S. T. Milligan, J. F. Carson.

J. J. Huston,
James Warnock,
Joseph Stevenson,
Robert McAfee.

J. T. Mahaffy.

S. Dell Johnston,
Thomas Logan.
J. M. McElhinney,
N. M. Johnston.

Rev. F. M. FOSTER: I would like to know just the force of a dissent when it is spread upon the records of the Court. In New York Presbytery I brought some matters before the Presbytery that were in a dissent last year, and it was stated by one or two of the brethren that the court had uniformly accepted those declarations, and consequently it was not proper to bring them in. I would like to know if they come in by any authority.

Rev. J. S. T. MILLIGAN: It is one of the dearest rights

of Presbyterianism.

Rev. F. M. FOSTER: Where is the authority to dissent? Rev. J. S. T. MILLIGAN: The right of dissent is one of the dearest rights of Presbyterianism.

The MODERATOR: What is now the will of the Court?
Mr. D. TORRENS: I have a dissent which I wish to present and ask the clerk to read.

(The clerk read the dissent presented.)

Rev. D. S. FARIS: I move the dissent be not entered on the Minutes.

(Motion seconded.)

Dr. R. B. CANNON: Was there notice given?

The CLERK: There was notice.

The MODERATOR: It is more in the shape of a personal

charge, and therefore it is not a dissent at all.

Rev. D. S. FARIS: If there is any doubt about the fact, it might be sent to a committee to report on. I did not hear anything that had any relation to the case.

Rev. J. S. T. MILLIGAN: With instructions to reply to it.

I think that is good.

Rev. D. S. FARIS: With instructions to reply to it or to dismiss it.

The MODERATOR: Do you make that as a motion?

Rev. D. S. FARIS: Perhaps I had better.

The MODERATOR: The motion is that this be put in the hands of a committee.

Prof. WILLSON: A dissent is a dissent against the action

of Synod; it does not go into a lot of other things.

(The motion of Rev. Mr. Faris was then put to a vote and declared carried.)

Mr. W. T. MILLER: I move we take up the regular busi-

ness.
Mr. J. S. ARTHUR: I hope that will be withdrawn, and

we will take up the other appeal.

(It was then moved and seconded that the appeal of J. A.

Burnett be taken up, which motion was put to a vote and

carried.)
The MODERATOR: The clerk will read the appeal together with the extracts of the proceedings of the Court in the case of John A. Burnett.

(Thereupon the clerk read the papers referred to by the

Moderator.)

The MODERATOR: Are there any answers to these reasons for appeal?

Dr. McALLISTER: No, sir, there are no answers.

Rev. D. S. FARIS: I move that the other appeal be read now.

The MODERATOR: By consent that can be done. I think

the motion included both.

(The clerk read the second appeal of John A. Burnett together with the extracts of the proceedings in Presbytery.)

Dr. McALLISTER: If you will indulge me in a statement just at this point, I will say that the representatives of Pittsburgh Presbytery, in order to save the time of this Court, whose patience must be taxed beyond endurance, are perfectly willing to leave the questions at issue to you on the reading of Mr. Burnett's own statement of them, and let the vote be taken without any discussion whatever. If it is thought wise to refer to any of the other points, as to the matter of a quorum, Presbytery is ready to answer, and to show that we proceeded according to the law and order of the church. On the questions themselves, we are ready to submit the matter to a vote of Synod without a word on either side.

Rev. D. S. FARIS: I have a question to ask the defenders of Pittsburgh Presbytery. Has Mr. Burnett respected the

sentence?

Dr. McALLISTER: He has not. It is a matter of public notoriety that he has been holding services in Wilkinsburg in a hall at the same hours at which services are held in the Wilkinsburg congregation, and that a number of the members of Wilkinsburg congregation have left and gone away from their own congregation to these services held at the same hour in another place.

Mr. BURNETT: Does that statement of Dr. McAllister

prove I have not observed the sentence?

Dr. McALLISTER: It is a matter of public notoriety, and it has been so brought before this church that it does not need proof.

Rev. D. S. FAR.S: I move that these appeals be dis-

missed.

Rev. J. C. SMITH: I oppose this at least until we hear Mr. Burnett.

Mr. BURNETT: I insist upon a question of privilege. The facts stated by Dr. McAllister do not prove that I have violated in any way the sentence revoking my license. I insist that since the representatives of Pittsburgh Presbytery make that assertion they bring forward the proof of it.

Rev. D. S. FARIS: I am not going to hear a man in defence of his appeal who has not been acting in subordination

o the matter about which he has appealed.

Mr. BURNETT: It is not proved that I have been acting insubordinate.

Mr. R. McAFEE: It seems to me a summary way to decide a case without hearing the appellant.

Mr. BURNETT: May I ask another question: Does this apply to both cases?

The MODERATOR: It applies to both.

Dr. McALLISTER: I have not any objection for my own part, and I want it understood that I am perfectly willing, and I know Presbytery is, that Mr. Burnett bring everything:

he can before this Court, if the Court has the patience to hear it. If the Court wish to give so much time to hear Mr. Burnett, it will be perfectly satisfactory to Pittsburgh Presbytery.

Dr. JAMES KENNEDY: I think it will be a matter of

courtesy.

Mr. W. T. MILLER: I think there ought to be a limit to this thing.

The MODERATOR: There is one motion before us.

A MEMBER: Our Book of Discipline says that in cases of appeal or complaint the court shall proceed so and so. We have proceeded part way and stopped. Now this young man is before us and asks to be heard. I believe if he wants to be heard, according to our own Book we ought to hear him.

The MODERATOR: The Moderator thinks there is no necessity for it. There is no real obligation to hear him; but he can be heard before this motion is disposed of, if it is the

will of the Court.

Mr. Jos. STEVENSON: I move this motion be indefinitely postponed.

Rev. J. McCRACKEN: I move to amend the motion, that

Mr. Burnett be heard.

Dr. R. J. GEORGE: I think Mr. Burnett should not be

heard until he purges himself of contempt,

Mr. BURNETT: I insist I have been guilty of no contempt, and that is just the point I am making now. If the representatives of Pittsburgh Presbytery will show I have been guilty of contempt, I am ready to purge myself of that

contempt.

Dr. T. P. STEVENSON: I think Mr. Burnett ought to embrace the opportunity which is afforded him, or proposed to be afforded him of explaining why it is that the statement made by the representatives of Pittsburgh Presbytery, even if true, involves no contempt, as I understand that to be his claim. The statement has been made that Mr. Burnett has been preaching regularly at the same hours at which public worship is conducted in the Wilkinsburg R. P. church. Mr. Burnett says those statements do not involve contempt. Now I think he ought to make his explanation.

The MODERATOR: Will he be heard before this motion

is put?

Rev. D. S. FARIS: I am willing to hear him purge him-

The MODERATOR: We will now hear Mr. Burnett on that

Mr. BURNETT: I have just a word or two to say in this connection. The facts have all been brought out in the appeals that have been read in this Court concerning the refusal of Presbytery to ordain me as pastor of the Wilkinsburg church, and also the action of the same Presbytery in revok-

ing my license at its regular meeting. I went back to Wilkinsburg. Some of my friends insisted that I should hold services in a hall which they had secured. I did not do so. I refused to hold services until after the second Sabbath after my license had been revoked. The second Sabbath after my license had been revoked by the Presbytery, the licentiate who was appointed to preach was unable to fill his appointment, and a member of the Wilkinsburg congregation went to Allegheny City and secured a second year student, a man who was unlicensed, to come out to Wilkinsburg and preach in the church,—a man who was in precisely the same relation to the church that I was. I claim it was an act of injustice and wrong so far as the congregation was concerned. Of course, that does not come up in this case except to show the

motive that prompted me to my action.

Then I received a request signed by people in Wilkinsburgh, citizens of the town who are not and never have been Covenanters, asking me to hold services in a hall, as they thought I might be the means of gathering in a great many people who did not go to the church. The hall has been secured. We have been holding services in that hall since that time. I might say that the purposes for which the services were organized have been conserved. I am not responsible for any action of members of that congregation. have done nothing in holding those services that any member of the church, any member of this Court who is a lay member, could not have done. And consequently I claim I have been guilty of no contempt, especially when that request came to me from men who were not in connection with that church, and when those meetings were carried on for the definite purpose of reaching young men who did not go to church anywhere in our town. That is the reason I insist I have been guilty of no contempt of the authority of Pittsburgh Presbytery.

Rev. T. P. ROBB: Before this young man takes his seat I would like to put in one question: I would like to ask him if he has been holding preaching services in that hall since the time his license was revoked? Has he been preaching there?

Mr. BURNETT: I have been holding services.

The MODERATOR: His question is, have you been preaching in that hall?

Mr. BURNETT: I have been holding services just as any other member of the church who was qualified.

The MODERATOR: Have you been preaching, is the question?

Mr. BURNETT: That depends upon what you understand by preaching.

The MODERATOR: Everybody knows what is meant by

preaching.

Dr. T. P. STEVENSON: Mr. Burnett states that he has been

doing simply what our unlicensed students of theology have been doing by the permission of this Synod. Am I right?

The MODERATOR: Is that the statement?

Prof. WILLSON: We have no such action of Synod.

Dr. T. P. STEVENSON: What was the action of Synod, let me inquire.

Prof. WILLSON: Under the direction of their pastor.

Dr. McALLISTER: Let me ask if the hall is not rented for a year?

Mr. BURNETT: I have nothing to do with the renting of the hall.

Dr. McALLISTER: I would also ask if the pledge for the payment of the rent is not in the name of four members of the Reformed Presbyterian church?

Mr BURNETT: I have no knowledge of that matter. A SPECTATOR: I can answer both those questions.

The MODERATOR: You are not on the floor.

Rev. F. M. FOSTER: I would ask if Mr. Burnett did not arrange last Sabbath and the Sabbath before for preaching by members of this church, thus affirming the fact of services there.

Mr. BURNETT: There is no dispute as to the fact of ser-

vices being held there.

Mr. McAFEE: Is it not competent for any member of the Reformed Presbyterian church to hold evangelistic services? The MODERATOR: The Moderator is not answering ques-

tions. He is not on trial.

Prof. WILLSON: There is a vast difference between a man under suspension and a licentiate.

Dr. STÊVENSON: Did you hold any services before your

license at all?

Mr. BURNETT: I don't know as that is pertinent to the case.

Rev. JOHN F. CROZIER: Did you take a text and expound that text?

Mr. BURNETT: Certainly.

Mr. CROZIER: Did you explain a psalm?

Mr. BURNETT: I did; yes, sir.

Rev. J. F. CROZIER: Interspersing those services with prayer after our order?

Mr. BURNETT: Certainly.

Rev. J. F. CROZIER: Did you invoke the benediction?
Mr. BURNETT: Yes, sir, I did. That is what every student does.

A MEMBER: Is there any necessity of having these meetings at the same hour as the other meetings?

Mr. BURNETT: We thought there was, or we would not

have arranged them at those hours.

Rev. Mr. McCRACKEN Does Mr. Burnett consider there is any license necessary to preach at all?

Mr. BURNETT: I don't know that that is pertinent to the case.

Rev. Mr. McCRACKEN: By what authority does he preach

now? Or does he preach without any authority?

Mr. BURNETT: I insist I have not been preaching. That is the point; that I have simply been conducting evangelistic services as any member of the church might do who is qualito do it.

The MODERATOR: What is now the will of the Court? Rev. D. S. FARIS: I insist on the motion being put as it was made.

Rev. J. R. THOMPSON: Mr. Burnett was one of my boys brought up in my congregation before he entered Geneva College, where he graduated, or before he entered the Theological Seminary. He was engaged in connection with the Young Men's Christian Association; he was known as a Christian worker. His mind and heart ran in that line. He is so constituted that he must be engaged in work somewhere, and when his license was revoked, he went back to Wilkinsburg, and at the request of people outside of the church, as I understand, he resolved to meet with them on the Sabbath in a hall which they had secured to carry on Christian work, just as he did before he entered College, and just as he did in the Young Men's Christian Association, and just as any Christian man has a right to do. Now he did not act as a licentiate. He did not preach in the sense in which a licentiate preaches. He went there and engaged in those services; and I hold that as a man and as a Christian he has a right to do that. I hold it to be unjust to tie the hands and still the lips of a young man who is full of love for perishing souls, who has spent years in that line and been remarkably successful wherever he has worked. I hold it to be unjust to sit there for a month or six weeks doing nothing when sinners were perishing all around him, and were inviting him to hold services.

Mr. R. McAFEE: I just want to make a statement with reference to Mr. Burnett. I happened to be on a committee in the New York Presbytery for the purpose of carrying on Mission work within the bounds of Presbytery; and while Mr. Burnett was a student, not of theology, but in the College, and a literary student, we employed him for that very purpose, and he did the very work he is doing now,—he preached at evangelistic meetings, if you call it preaching; he exhorted the people and held evangelistic services before he entered the Seminary. Now, as I understand it, he still retains his membership in the church, and still has rights as any member of the church who has the ability to preach the Gospel or speak to perishing souls of the Gospel of Jesus Christ, and that is what I understand he has been doing. And I do not think this Synod ought to censure him.

Dr. R. J. GEORGE: The significance of the remark, that

has just been made, is simply this: That as our brother did not wait for licensure until he began to preach, his licensure had no particular effect, because he was doing before all that licensure authorized him to do afterward, and because his licensure had no significance, the revoking of it had no significance. He began before his license, he continued while he was licensed, and he went on after it was revoked, just in the same line of procedure. What I wish to submit is this: You have heard the statements of Mr. Burnett that this hall has been hired, and that it is in the vicinity of our church at Wilkinsburg; that the services are held at the same hour at which our services are held; that he conducts them after the form of our service, with the explanation of a psalm, with the expounding of a portion of Scripture, with devotional exercises, and the invocation of the benediction. It is said he does not do this as a licentiate but as a layman. I submit that laymen in our church without the authority of licensure. do not do things in this way. And it would simply stultify ourselves to say that this line of procedure is in accordance with the regulations of this church. I am willing that the Court shall say, having heard this statement, whether they are willing to let him go on. If they see fit to do that, I insist it shall be understood that we are not at all blinded by any statement that has been made that this is in harmony with the law of our church. And in view of the effect upon our congregations of conducting these services at the same hour, and so disturbing the people, it is certainly a peculiar statement to say that there is no contempt of the authority of the court that revoked the license and refused to ordain Mr. Burnett.

Mr. BURNETT: A question of privilege, please; I would like if these two appeals were considered separately under this motion, as they are separate appeals.

The MODERATOR: The motion is that these appeals be dismissed. The Court has the right to divide the motion.

Mr. BURNETT: I insist that the first appeal is a separate appeal.

The MODERATOR: Certainly; but the Court has power to decide whether it will divide them in the vote or not.

(The motion as made was carried by a viva voce vote.) Mr. BURNETT: As a question of privilege, I simply wish to request the clerk to furnish me a copy of the Minutes so far as they relate to my case, as I desire to go to a court where I can get justice.

Rev. A. W. McCLURKIN: I ask, if it be in order, that the clerk furnish me a copy of the record so far as it relates

to my case.

Rev. J. S. T. MILLIGAN: I move that in all these cases the clerk furnish those who have requested it a transcript of the record in their case.

The MODERATOR: This case has gone back to the Presbytery, and it is their duty to attend to that and not ours.

Rev. A. W. McCLURKIN: It has been decided, and I ask for what Synod did.

(On motion the Court adjourned.)

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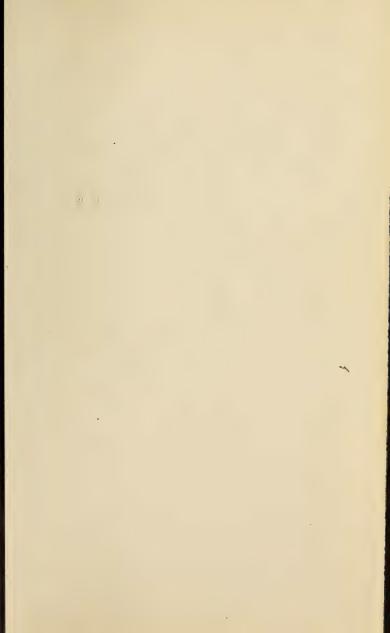
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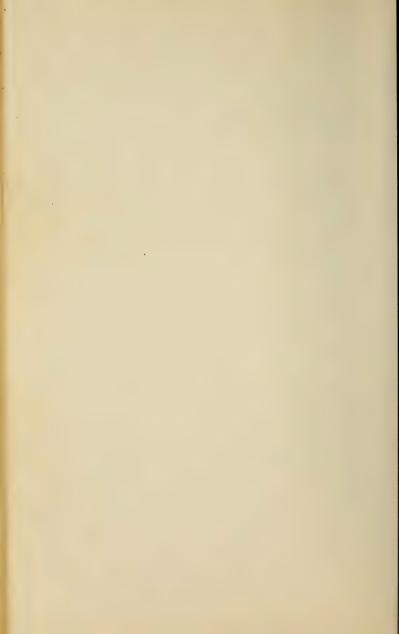
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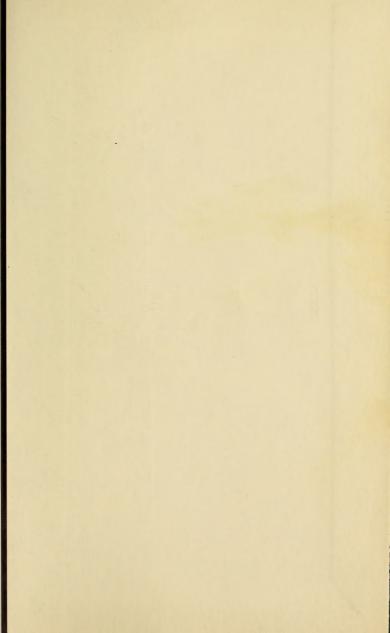
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